

H. B. No. 557, "An Act to amend Article 7752, Chapter 2, Title 128, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, to authorize conservation and reclamation districts obtaining a water supply under contract with the United States to waive the statutory lien given them, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

### THIRTY-THIRD DAY.

(Friday, March 5, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker.	Hefley.
Albritton.	High.
Alexander.	Hogg.
Barnett.	Holland.
Barron.	Hornaday.
Bass.	Jacks.
Bateman.	Johnson.
Beck.	Jones.
Bird.	Kayton.
Black.	Kennedy.
Boggs.	Kenyon.
Bonham.	Kincaid.
Boon.	King of Hopkins.
Branch.	King of
Brown.	Throckmorton.
Conway.	Kinnear.
Cornwell.	Kirby.
Cox.	Kirkland.
Cummings.	Land.
Daniel.	Lipscomb.
Davis.	Loftin.
DeBerry.	Long.
Denman.	McCombs.
Dielmann.	McGill.
Duvall.	McKean.
Enderby.	Merritt.
Eickenroht.	Minor.
Farrar.	Montgomery.
Faulk.	Morse.
Finlay.	Moursund.
Fly.	Murphy.
Forbes.	Nabors.
Gates.	Nicholson.
Gibson.	Olsen.
Gilbert.	Parish of Runnels.
Graves.	Parrish of Travis.
Gray.	Pavlica.
Hagaman.	Pearce.
Hall.	Petsch.
Harding.	Poage.
Harman.	Pool.

Pope.	Storey.
Porter.	Stout.
Powell.	Sutton.
Purl.	Swain.
Ramsey.	Taylor.
Rawlins.	Teer.
Renfro.	Tillotson.
of Angelina.	Turner.
Renfro of Mills.	Van Zandt.
Rogers of Hays.	Veatch.
Rogers of Shelby.	Waddell.
Rowell.	Walker.
Runge.	Wallace.
Sanders.	of Freestone.
Satterwhite.	Wallace of Panola.
Shaver.	Ware.
Shearer.	Wassell.
Sheats.	Webb.
Shirley.	Wells.
Simmons.	Whitaker.
Sinks.	Williams.
Smith of Atascosa.	of Sabine.
Smith of El Paso.	Williams.
Smith of Nueces.	of Travis.
Smith of Smith.	Williamson.
Smyth.	Woodall.
Snelgrove.	Woodruff.
Stell.	Young.
Stevenson.	

Absent.

Dunlap.	Loy.
Durham.	Masterson.
Fuchs.	

Absent—Excused.

Anderson.	Justice.
Avis.	Kemble.
Foster.	Reagan.
Holder.	Wallace of Smith.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Holder for today, on motion of Mr. Davis.

Mr. Wallace of Smith for today and next Monday, on motion of Mr. Murphy.

The following member was granted leave of absence on account of illness:

Mr. Reagan for today, on motion of Mr. Smith of Smith.

### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Petsch:

H. B. No. 643, A bill to be entitled "An Act authorizing steam or electric railway companies, street railway companies, interurban railway companies or other chartered transportation companies, express companies, sleeping car companies, telegraph companies, telephone companies or persons or association of persons operating the same or the receivers or lessee thereof and the officers, agents or employes thereof to issue free passes and franks to the members of the State Highway Commission and the State Highway Engineer; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Smith of Atascosa:

H. B. No. 644, A bill to be entitled "An Act to ratify, approve, confirm and declare enforceable all levies and assessments and ad valorem taxes heretofore made by the governing body of the town of Pleasanton, in Atascosa county, Texas, which are unenforceable because same were made or adopted by resolution, motion or other informal action or order instead of by ordinance, and of all assessments of taxes or assessments of property within the limits of said town for taxation which are insufficient because of technical irregularities in the manner of preparing the books and reports thereof, and of all equalizations of such property for taxation purposes by boards of equalization acting for said town or its council which are insufficient because such equalization or reports thereof were made orally or in incomplete form, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

#### HOUSE JOINT RESOLUTION ON FIRST READING.

The following House joint resolution, introduced today, was laid before the House, read first time and referred to the Committee on Constitutional Amendments:

By Mr. Shirley:

H. J. R. No. 30, To amend the Constitution of the State of Texas by adding to Article 3 a new section to be known as Section 48a, providing for the taxation of land planted in cotton.

#### MOTION TO PRINT SENATE BILL NO. 293.

Mr. Kirby moved that Senate bill No. 293, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion to print was lost by the following vote:

Yeas—51.

Acker.	Rawlins.
Barron.	Renfro
Cox.	of Angelina.
Cummings.	Renfro of Mills.
Daniel.	Rogers of Hays.
Davis.	Rowell.
Duvall.	Runge.
Eickenroht.	Sanders.
Finlay.	Satterwhite.
Gates.	Shaver.
Hefley.	Shearer.
Hogg.	Sheats.
Jacks.	Shirley.
Johnson.	Simmons.
Jones.	Stell.
Kenyon.	Stevenson.
Kirby.	Storey.
Lipscomb.	Taylor.
Loftin.	Teer.
McCombs.	Turner.
Minor.	Waddell.
Morse.	Webb.
Murphy.	Wells.
Nicholson.	Williams
Parrish of Travis.	of Sabine.
Porter.	Woodruff.
Purl.	

Nays—63.

Albritton.	King of Hopkins.
Alexander.	King of
Avis.	Throckmorton.
Barnett.	Kinnear.
Bass.	Kirkland.
Bateman.	Land.
Bird.	Long.
Black.	McKean.
Boon.	Merritt.
Conway.	Moursund.
Cornwell.	Nabors.
DeBerry.	Parish of Runnels.
Dielmann.	Pavlica.
Farrar.	Pearce.
Faulk.	Poage.
Fly.	Pool.
Forbes.	Pope.
Gilbert.	Powell.
Graves.	Rogers of Shelby.
Gray.	Sinks.
Hagaman.	Smith of El Paso.
Hall.	Smith of Nueces.
Harding.	Smith of Smith.
High.	Snelgrove.
Kayton.	Stout.
Kennedy.	Swain.
Kincaid.	Tillotson.

Van Zandt.	Ware.
Veatch.	Wassell.
Walker.	Williams
Wallace	of Travis.
of Freestone.	Woodall.
Wallace of Panola.	Young.

Present—Not Voting.

Branch.

Absent.

Beck.	Loy.
Boggs.	Masterson.
Bonham.	McGill.
Brown.	Montgomery.
Denman.	Olsen.
Dunlap.	Petsch.
Durham.	Ramsey.
Enderby.	Smith of Atascosa.
Fuchs.	Smyth.
Gibson.	Sutton.
Harman.	Whitaker.
Holland.	Williamson.
Hornaday.	

Absent—Excused.

Anderson.	Kemble.
Foster.	Reagan.
Holder.	Wallace of Smith.
Justice.	

Mr. Wallace of Freestone moved to reconsider the vote by which the motion was lost and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—68.

Albritton.	High.
Alexander.	Kayton.
Avis.	Kennedy.
Barnett.	Kincaid.
Barron.	King of Hopkins.
Bass.	King of
Bateman.	Throckmorton.
Bird.	Kinnear.
Black.	Kirkland.
Boggs.	Land.
Boon.	Long.
Branch.	McKean.
Conway.	Merritt.
Cornwell.	Moursund.
Cox.	Nabors.
Daniel.	Parish of Runnels.
Davis.	Pavlica.
DeBerry.	Pearce.
Dielmann.	Poage.
Faulk.	Pool.
Fly.	Pope.
Forbes.	Powell.
Gilbert.	Rogers of Shelby.
Gray.	Sinks.
Hagaman.	Smith of El Paso.
Hall.	Smith of Nueces.

Smith of Smith.	Wallace
Snelgrove.	of Freestone.
Storey.	Wallace of Panola.
Stout.	Ware.
Swain.	Wassell.
Tillotson.	Williams
Van Zandt.	of Travis.
Veatch.	Woodall.
Walker.	Young.

Nays—46.

Acker.	Renfro
Cummings.	of Angelina.
Duvall.	Renfro of Mills.
Eickenroht.	Rogers of Hays.
Finlay.	Rowell.
Gates.	Runge.
Graves.	Sanders.
Harding.	Satterwhite.
Hefley.	Shaver.
Jacks.	Shearer.
Johnson.	Sheats.
Jones.	Shirley.
Kenyon.	Simmons.
Kirby.	Smith of Atascosa.
Loftin.	Stell.
McCombs.	Stevenson.
Montgomery.	Taylor.
Morse.	Teer.
Murphy.	Turner.
Nicholson.	Waddell.
Parrish of Travis.	Webb.
Porter.	Wells.
Purl.	Woodruff.
Rawlins.	

Absent.

Beck.	Lipscomb.
Bonham.	Loy.
Brown.	Masterson.
Denman.	McGill.
Dunlap.	Minor.
Durham.	Olsen.
Enderby.	Petsch.
Farrar.	Ramsey.
Fuchs.	Smyth.
Gibson.	Sutton.
Harman.	Whitaker.
Hogg.	Williams
Holland.	of Sabine.
Hornaday.	Williamson.

Absent—Excused.

Anderson.	Kemble.
Foster.	Reagan.
Holder.	Wallace of Smith.
Justice.	

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 4, 1927.

Hon. Robert Lee Bobbitt, Speaker of  
the House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has

agreed to concur in House amendments to Senate bill No. 169 by vote of 26 yeas to 0 nays.

Has passed

S. B. No. 460, A bill to be entitled "An Act ratifying, confirming, approving and validating certain orders and notices of the commissioners court of Cameron county, Texas, relating to the issuance of bonds of Cameron county in the total sum of six million dollars for the purpose of construction, maintenance and operation of macadamized, graveled or paved roads or turnpikes in aid thereof, and to levy of a tax upon all of the taxable property in said county, etc., and declaring an emergency."

S. C. R. No. 27, Inviting Sergeant York to address a joint meeting of House and Senate at 11 o'clock today.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

#### BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving notice thereof and its caption had been read, the following enrolled bill:

S. B. No. 169, "An Act providing for the extension of electric light, power and gas lines by street and interurban railway corporations for the purpose of supplying light, power and gas to the public at points beyond the territory adjacent to the towns or cities in or through which they operate, with the right for such purposes, of any such corporation to acquire, lease or purchase the physical properties, rights and franchises of any other person, firm or corporation engaged in the business of selling electric light, power or gas to the public, and declaring an emergency."

#### RELATING TO ADOPTING STATE SONG.

Mr. Parrish of Travis offered the following resolution:

H. C. R. No. 33, Relating to adopting State song.

Whereas, The Thirty-ninth Legislature in the regular term of January, 1925, did authorize the adoption of a State song for the State of Texas, and did name a committee of seven members, three from the Senate and four from the House to make a selection of the same; and

Whereas, Said songs with the music therefor were submitted in great numbers and all were eliminated but six; and

Whereas, This committee reported on March 18, 1925, and recommended that one song out of the six be selected at the following session of the Legislature; therefore, be it

Resolved, That the Fortieth Legislature do carry out the expressed wishes of this committee and proceed toward adopting a State song by empowering a joint committee of seven, four from the House and three from the Senate to select one from these six or take such other action as to them may seem best, and to recommend the same to the Legislature for adoption, the same to be hereafter known as the adopted song for the State of Texas.

The resolution was read second time.

On motion of Mr. Purl, the resolution was referred to the Committee on State Affairs.

#### RELATING TO FLORAL OFFERING FOR HON. W. M. DICKENSON.

Mr. Rogers of Shelby offered the following resolution:

Whereas, The committee appointed to represent the House at the funeral of the late Hon. W. M. Dickenson, Doorkeeper of the House of Representatives, presented a floral wreath on behalf of the House, which Mrs. Dickenson acknowledged with grateful appreciation; therefore, be it

Resolved, That same be paid for out of the contingent expense fund of the House.

The resolution was read second time and was adopted.

#### COMMITTEE SUBSTITUTE ORDERED PRINTED.

On motion of Mr. Shearer, the (committee) substitute to House bill No. 464 was ordered printed instead of the original bill.

#### HOUSE BILL NO. 470 ON PASSAGE TO ENGROSSMENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 470, A bill to be entitled "An Act amending Article 2686 of the Revised Civil Statutes of Texas by providing that from the decision of the county superintendent of public instruction shall lie to the county school trustees, and from the county school trustees to the court having proper jurisdiction of the subject matter, where a trial de novo shall be had; all laws and



parts of laws in conflict herewith are hereby repealed."

The bill having heretofore been read second time.

House bill No. 470 was then passed to engrossment.

### HOUSE BILL NO. 470 ON THIRD READING.

Mr. Loftin moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 470 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108.

Mr. Speaker.	Lipscomb.
Acker.	Loftin.
Alexander.	Long.
Avis.	McKean.
Barron.	Merritt.
Bass.	Minor.
Bateman.	Montgomery.
Bird.	Morse.
Black.	Murphy.
Boggs.	Nabors.
Bonham.	Parish of Runnels.
Boon.	Parrish of Travis.
Branch.	Pavlica.
Conway.	Pearce.
Cornwell.	Petsch.
Cox.	Poage.
Cummings.	Pool.
Daniel.	Porter.
Dielmann.	Powell.
Duvall.	Purl.
Enderby.	Rawlins.
Eickenroht.	Renfro
Faulk.	of Angelina.
Finlay.	Renfro of Mills.
Forbes.	Rogers of Hays.
Gates.	Rogers of Shelby.
Gibson.	Rowell.
Gilbert.	Runge.
Graves.	Sanders.
Gray.	Shaver.
Hagaman.	Shearer.
Hall.	Sheats.
Harding.	Simmons.
Harman.	Sinks.
Hefley.	Smith of Atascosa.
Hornaday.	Smith of El Paso.
Jacks.	Smith of Nueces.
Johnson.	Smith of Smith.
Jones.	Smyth.
Kayton.	Snelgrove.
Kenyon.	Stell.
King of Hopkins.	Stevenson.
King of Throckmorton.	Storey.
Kinnear.	Stout.
Kirby.	Swain.
Kirkland.	Tillotson.
Land.	Turner.
	Van Zandt.

Waddell.	Webb.
Walker.	Wells.
Wallace	Whitaker.
of Freestone.	Williams
Wallace of Panola.	of Sabine.
Ware.	Williamson.
Wassell.	Woodall.

Nays—8.

Albritton.	Teer.
High.	Williams
Kennedy.	of Travis.
Kincaid.	Young.
Taylor.	

Present—Not Voting.

DeBerry.

Absent.

Barnett.	Masterson.
Beck.	McCombs.
Brown.	McGill.
Davis.	Moursund.
Denman.	Nicholson.
Dunlap.	Olsen.
Durham.	Pope.
Farrar.	Ramsey.
Fly.	Satterwhite.
Fuchs.	Shirley.
Hogg.	Sutton.
Holland.	Veatch.
Loy.	Woodruff.

Absent—Excused.

Anderson.	Kemble.
Foster.	Reagan.
Holder.	Wallace of Smith.
Justice.	

The Speaker then laid House bill No. 470 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Mr. Speaker.	Dielmann.
Acker.	Enderby.
Albritton.	Faulk.
Alexander.	Finlay.
Avis.	Forbes.
Barnett.	Gates.
Barron.	Gibson.
Bass.	Gilbert.
Bateman.	Graves.
Bird.	Gray.
Black.	Hagaman.
Boggs.	Hall.
Bonham.	Harding.
Boon.	Hefley.
Branch.	Hogg.
Brown.	Hornaday.
Conway.	Jacks.
Cornwell.	Johnson.
Cox.	Jones.
Cummings.	Kayton.
Daniel.	Kennedy.

Kenyon.	Rowell.
King of Hopkins.	Runge.
King of Throckmorton.	Sanders.
Kirby.	Shaver.
Kirkland.	Shearer.
Land.	Sheats.
Lipscomb.	Shirley.
Loftin.	Simmons.
Long.	Sinks.
McKean.	Smith of Atascosa.
Merritt.	Smith of El Paso.
Minor.	Smith of Smith.
Montgomery.	Smyth.
Morse.	Snelgrove.
Moursund.	Stell.
Murphy.	Stevenson.
Nabors.	Storey.
Parish of Runnels.	Stout.
Parrish of Travis.	Swain.
Pavlica.	Tillotson.
Pearce.	Turner.
Petsch.	Waddell.
Poage.	Walker.
Pool.	Wallace
Porter.	of Freestone.
Powell.	Wallace of Panola.
Purl.	Ware.
Renfro	Wassell.
of Angelina.	Webb.
Renfro of Mills.	Whitaker.
Rogers of Hays.	Williamson.
Rogers of Shelby.	Woodruff.

## Nays—10.

Harman.	Van Zandt.
High.	Williams
Kincaid.	of Travis.
McCombs.	Woodall.
Rawlins.	Young.
Taylor.	

## Present—Not Voting.

DeBerry.

## Absent.

Beck.	McGill.
Davis.	Nicholson.
Denman.	Olsen.
Dunlap.	Pope.
Durham.	Ramsey.
Duvall.	Satterwhite.
Eickenroht.	Smith of Nueces.
Farrar.	Sutton.
Fly.	Teer.
Fuchs.	Veatch.
Holland.	Wells.
Kinnear.	Williams
Loy.	of Sabine.
Masterson.	

## Absent—Excused.

Anderson.	Kemble.
Foster.	Reagan.
Holder.	Wallace of Smith.
Justice.	

## RELATING TO HOUSE BILL NO. 470.

On motion of Mr. Loftin, by unanimous consent, the Engrossing Clerk was authorized to make certain corrections in the caption of House bill No. 470.

## ADDRESS BY HON. ALVIN C. YORK.

The Speaker laid before the House for consideration at this time the following resolution:

Senate concurrent resolution No. 27, Inviting Sergeant Alvin York to address the House.

Whereas, Sergeant Alvin York of Tennessee is the guest of the American Legion in Austin today, and has been pronounced the outstanding individual soldier produced by the World War, and wears upon his breast the decoration of every nation allied with the United States during the World War; and

Whereas, His feat in capturing single-handed one hundred and thirty-two German soldiers was pronounced by General Foch and General Pershing an act of personal courage and bravery during the entire war; and

Whereas, Sergeant Alvin C. York has devoted and consecrated his life to education and training of his native Tennessee mountain boys and girls, and has founded the Alvin C. York Industrial Institute at Jamestown, Tennessee; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That Sergeant York be invited to address a joint session of the Senate and House at 11 o'clock a. m. today.

Signed — Bailey, Berkeley, Bledsoe, Bowers, Floyd, Greer, Hall, Hardin, Holbrook, Lewis, Love, McFarlane, Miller, Neal, Parr, Price, Real, Reid, Russek, Smith, Stuart, Triplett, Ward, Westbrook, Wirtz, Wood, Woodward, Witt, Fairchild, Moore, Pollard.

The resolution was read second time and was adopted unanimously.

In accordance with the above action, the Speaker appointed the following committee to escort Sergeant Alvin C. York to the Speaker's stand:

Messrs. Webb, Swain, Cox, DeBerry, Merritt, Purl, Petsch and Hogg.

The Honorable Senate being announced at the bar of the House were admitted and occupied seats already prepared for them along the aisle, Lieutenant Governor Miller being escorted to a seat on the Speaker's stand.

Sergeant York, accompanied by Hon.

Dan Moody, Governor, and the committee, was escorted to seats on the Speaker's stand.

Speaker Bobbitt presented Hon. Dan Moody, Governor, who introduced Sergeant Alvin C. York.

Sergeant York then addressed the House.

Lieutenant Governor Miller then moved that each member of the Legislature present make an individual contribution to the Alvin C. York Industrial College.

The motion prevailed.

The members of the Legislature and employes then deposited their contribution with the Chief Clerk of the House and the Secretary of the Senate.

On motion of Senator Neal, the Senate then retired to its Chamber.

#### RECESS.

On motion of Mr. Bonham, the House at 12 o'clock m. took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

(Mr. Satterwhite in the chair.)

#### MESSAGE FROM THE GOVERNOR.

Mr. Carl L. Phinney, Assistant Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office, March 4, 1927.

To the Honorable House of Representatives, Fortieth Legislature.

Gentlemen: It is my understanding that the House has set for consideration this afternoon certain bills with reference to judicial reform. I want, in the most respectful manner, to suggest the merit of these bills and their possibility for good to the citizenship of Texas. My deep conviction that these measures will bring about needed reform and promote the interest of our people is the only consideration which prompts me to address you on this subject.

I shall take the liberty to refer specifically to the measures.

Under existing law the Courts of Civil Appeals are in vacation for a period of about three months during the year. For that time the Appellate Courts of the State are closed to the citizens. It is possible for valuable rights to be seriously jeopardized if not entirely lost

because of this condition. House bill No. 581, if passed, will remedy the condition and yet provide for the necessary vacation for members of the court. Inflexible terms of court are an obstacle to both litigants and courts.

The present system of transferring cases from one Court of Civil Appeals to another frequently carries a case so far from the county in which it originated that the expense incident to a journey to the court to which it is transferred prohibits the litigant from sending his lawyer to argue the case. House bill No. 583, if passed, would correct this condition and result in benefit to the people having business with the courts. The idea is taken from our Federal system where it has been successfully operated for a number of years.

At every session of the Legislature cases are presented requiring the creation of additional district courts for the disposition of litigation in various counties of the State. The idea is prevalent that there are sufficient district courts to dispose of the litigation pending in the district courts if some means could be employed or provisions made for assigning district judges whose dockets are not crowded to assist those whose business amounts to more than the court can try. House bill No. 580 is designed to meet this situation and to make provision for an economical and useful system of assigning district judges to assist in the trial of congested dockets. The passage of this bill would materially assist in the general improvement of our judicial system.

There are eleven Courts of Civil Appeals functioning in this State at the present time. According to figures furnished me there were 1572 cases disposed of by the Courts of Civil Appeals in 1926, as against 1497 cases filed. This indicates that more cases were decided than were filed, if these figures are correct; and that the existing eleven Courts of Civil Appeals are more than disposing of the current business coming before them. The Courts of Civil Appeals for the second and fifth districts each have more cases filed than three men can possibly dispose of. Other Courts of Civil Appeals do not have as many cases as they can dispose of. House bill No. 582 is designed to correct this condition by reducing the number of counties in the districts of those courts which are over-burdened and increasing the number of counties in those districts which could dispose of more business than is regularly filed. This bill does not change the location of any existing and functioning Court of Civil Ap-

peals, and such changes as are to be made by this bill are made with a consideration for the lines of transportation existing over the district to the cities where the court is located. The passage of this bill would equalize the work of the several Courts of Civil Appeals, and in addition to that fact it would make possible the saving of expense incident to the creation of a twelfth Court of Civil Appeals. This bill may be claimed to have merit in that it promises better efficiency and a saving to the State.

An increase in the salaries paid to the members of the judiciary would undoubtedly be a step toward improvement. I am not a believer in high salaries for public officers, but it is apparent that some of the salaries require an unreasonable sacrifice on the part of those holding public offices. I favor reasonable increase in some of these salaries, but as a general proposition I am opposed to the increase of official salaries fixed by the Constitution except they be made to become effective after the expiration of the terms of the persons holding the office effective at the time the amendment is adopted. I recognize, however, that this principle, while correct, is difficult of application when applied to the judiciary because of overlapping terms of office. I am willing to approve reasonable increases in the salaries of the judiciary, but the apparent revenues to the State will not permit such increases to become effective immediately, and perhaps not before the beginning of the fiscal year, September, 1928. I do not want that we shall be left in the position of having been able to do nothing more for the improvement of our judiciary than increase the salaries of the judges and the tax bills of the people. I am willing for the increase to come, and believe that it should come, the financial condition of the State being taken into account in fixing the amount and the time when the increases shall become effective, but something more than this must be done for the improvement of our judicial system. In increasing these salaries I also believe that no distinction should be drawn between the members of the Commission of Appeals and the court, in the event the commission should be continued.

One of the most beneficent reforms that could possibly be accomplished, in my judgment would be by eliminating the distinction between manslaughter and murder. The distinction is more or

less a fiction of law. It has been an impediment in the way of speedy and orderly law enforcement. And the elimination of this distinction would be a great factor in the protection of human life. I sincerely trust that this Legislature may give greater protection to life and promote law enforcement by the elimination of the statute on manslaughter.

These observations are made with the utmost respect and confidence in your judgment, and are prompted by the belief that the enactment of these measures would materially promote the welfare of our State.

Respectfully submitted,  
DAN MOODY,  
Governor.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Stout, Senate bill No. 398 was ordered not printed.

On motion of Mr. Montgomery, Senate bill No. 450 was ordered not printed.

#### HOUSE BILL NO. 69 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 69, A bill to be entitled "An Act levying a State occupation tax on every person, firm, partnership, company, corporation, association, receiver, trustee, common law trust or other concern selling at retail cigars and cigarettes; defining person; defining wholesaler; defining retailer, to include sales to consumers in any quantity; enacting the necessary provisions to enforce the collection of the tax and to accomplish the purpose of the act; prescribing penalties for failure to comply with the requirements of the act; providing for reports to be made by retailers to the Comptroller of all purchases made and of all sales made and for payment of the tax; providing for wholesalers to report to the Comptroller all sales made to the retailers in Texas; providing for the disposition of funds received; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

On motion of Mr. Bobbitt further consideration of the bill was postponed until 2 o'clock p. m. next Tuesday and set as a special order for that hour.

(Speaker in the chair.)



SENATE BILL NO. 398 ON SECOND  
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 398, A bill to be entitled "An Act to amend Article 816, Chapter 1, Title 39, Revised Civil Statutes, 1925, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 398 ON THIRD  
READING.

Mr. Rawlins moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 398 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Mr. Speaker.	King of Hopkins.
Acker.	King of
Alexander.	Throckmorton.
Avis.	Kinnear.
Barnett.	Kirby.
Barron.	Kirkland.
Bass.	Land.
Bird.	Loftin.
Boggs.	Long.
Boon.	McCombs.
Branch.	McGill.
Conway.	McKean.
Cornwell.	Merritt.
Cox.	Montgomery.
Cummings.	Morse.
Davis.	Moursund.
DeBerry.	Murphy.
Dielmann.	Parish of Runnels.
Duvall.	Parrish of Travis.
Enderby.	Pavlica.
Eickenroht.	Pearce.
Farrar.	Petsch.
Finlay.	Poage.
Fly.	Pool.
Forbes.	Pope.
Foster.	Porter.
Gates.	Purl.
Gilbert.	Ramsey.
Graves.	Rawlins.
Gray.	Renfro
Hagaman.	of Angelina.
Hall.	Renfro of Mills.
Harding.	Rogers of Hays.
Harman.	Rogers of Shelby.
Hefley.	Rowell.
High.	Runge.
Hogg.	Sanders.
Holland.	Satterwhite.
Jacks.	Shaver.
Jones.	Sheats.
Kayton.	Shirley.
Kincaid.	Simmons.

Sinks.  
Smith of El Paso.  
Smith of Nueces.  
Smith of Smith.  
Snelgrove.  
Storey.  
Stout.  
Taylor.  
Teer.  
Tillotson.  
Turner.  
Van Zandt.  
Veatch.

Waddell.  
Walker.  
Wallace of Panola.  
Ware.  
Wassell.  
Webb.  
Whitaker.  
Williams  
of Sabine.  
Williams  
of Travis.  
Williamson.  
Young.

Nays—5.

Albritton.  
Black.  
Kennedy.

Olsen.  
Wallace  
of Freestone.

Absent.

Anderson.  
Bateman.  
Beck.  
Bonham.  
Brown.  
Daniel.  
Denman.  
Dunlap.  
Faulk.  
Fuchs.  
Gibson.  
Hornaday.  
Johnson.  
Kenyon.  
Lipscomb.  
Loy.

Masterson.  
Minor.  
Nabors.  
Nicholson.  
Powell.  
Shearer.  
Smith of Atascosa.  
Smyth.  
Stell.  
Stevenson.  
Sutton.  
Swain.  
Wells.  
Woodall.  
Woodruff.

Absent—Excused.

Holder.  
Justice.  
Kemble.

Reagan.  
Wallace of Smith.

The Speaker then laid Senate bill No. 398 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Mr. Speaker.  
Acker.  
Albritton.  
Alexander.  
Avis.  
Barnett.  
Barron.  
Bass.  
Bird.  
Boggs.  
Boon.  
Branch.  
Conway.  
Cornwell.  
Cox.  
Cummings.

Daniel.  
Davis.  
DeBerry.  
Dielmann.  
Duvall.  
Enderby.  
Eickenroht.  
Farrar.  
Finlay.  
Fly.  
Forbes.  
Foster.  
Gibson.  
Gilbert.  
Graves.  
Gray.

Hagaman.	Ramsey.
Hall.	Rawlins.
Harding.	Renfro
Harman.	of Angelina.
Hefley.	Renfro of Mills.
High.	Rogers of Hays.
Hogg.	Rogers of Shelby.
Holland.	Rowell.
Jacks.	Runge.
Jones.	Satterwhite.
Kayton.	Shaver.
Kennedy.	Sheats.
Kincaid.	Shirley.
King of Hopkins.	Simmons.
King of	Sinks.
Throckmorton.	Smith of El Paso.
Kinnear.	Smith of Nueces.
Kirby.	Smith of Smith.
Kirkland.	Snelgrove.
Loftin.	Storey.
Long.	Stout.
McCombs.	Taylor.
McGill.	Teer.
McKean.	Tillotson.
Merritt.	Turner.
Montgomery.	Van Zandt.
Morse.	Veatch.
Moursund.	Waddell.
Murphy.	Walker.
Olsen.	Wallace of Panola.
Parish of Runnels.	Ware.
Parrish of Travis.	Wassell.
Pavlica.	Webb.
Pearce.	Whitaker.
Petsch.	Williams
Poage.	of Sabine.
Pool.	Williams
Pope.	of Travis.
Porter.	Williamson.
Powell.	Young.
Purl.	

Nays—1.

Black.

Absent.

Bateman.	Minor.
Beck.	Nabors.
Bonham.	Nicholson.
Brown.	Sanders.
Denman.	Shearer.
Dunlap.	Smith of Atascosa.
Faulk.	Smyth.
Fuchs.	Stell.
Gates.	Stevenson.
Hornaday.	Sutton.
Johnson.	Swain.
Kenyon.	Wallace
Land.	of Freestone.
Lipscomb.	Wells.
Loy.	Woodall.
Masterson.	Woodruff.

Absent—Excused.

Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

## RELATING TO HOUSE BILL NO. 581.

On motion of Mr. Rawlins, House bill No. 581 was laid on the table subject to call.

## SENATE BILL NO. 399 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 399, A bill to be entitled "An Act to amend Article 1738, Chapter 3, Title 37, Revised Civil Statutes, 1925, and declaring an emergency."

The bill was read second time and was passed to third reading.

## SENATE BILL NO. 399 ON THIRD READING.

Mr. Rawlins moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 399 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109.

Mr. Speaker.	Hefley.
Acker.	High.
Alexander.	Hogg.
Avis.	Holland.
Barnett.	Jacks.
Barron.	Jones.
Bass.	Kayton.
Bird.	Kennedy.
Black.	Kincaid.
Boggs.	King of Hopkins.
Boon.	King of
Branch.	Throckmorton.
Brown.	Kinnear.
Conway.	Kirby.
Cornwell.	Kirkland.
Cox.	Land.
Cummings.	Long.
Daniel.	McCombs.
Davis.	McGill.
DeBerry.	Montgomery.
Dielmann.	Morse.
Duvall.	Moursund.
Enderby.	Murphy.
Eickenroht.	Nabors.
Finlay.	Nicholson.
Fly.	Parish of Runnels.
Forbes.	Parrish of Travis.
Foster.	Pavlica.
Gates.	Pearce.
Gibson.	Petsch.
Gilbert.	Poage.
Gray.	Pool.
Hagaman.	Pope.
Hall.	Porter.
Harding.	Powell.
Harman.	Purl.

Ramsey.	Taylor.
Rawlins.	Teer.
Renfro of Mills.	Tillotson.
Rogers of Hays.	Turner.
Rogers of Shelby.	Van Zandt.
Rowell.	Veatch.
Satterwhite.	Waddell.
Shaver.	Walker.
Sheats.	Wallace
Shirley.	of Freestone.
Simmons.	Wallace of Panola.
Sinks.	Wassell.
Smith of Atascosa.	Webb.
Smith of El Paso.	Whitaker.
Smith of Nueces.	Williams
Smith of Smith.	of Sabine.
Smyth.	Williams
Snelgrove.	of Travis.
Stell.	Williamson.
Storey.	Woodall.
Stout.	Woodruff.
Swain.	Young.

Nays—0.

Albritton.	Runge.
Loftin.	Sanders.
Olsen.	Ware.

Present—Not Voting.

Farrar.

Absent.

Bateman.	Loy.
Beck.	Masterson.
Bonham.	McKean.
Denman.	Merritt.
Dunlap.	Minor.
Faulk.	Renfro
Fuchs.	of Angelina.
Graves.	Shearer.
Hornaday.	Stevenson.
Johnson.	Sutton.
Kenyon.	Wells.
Lipscomb.	

Absent—Excused.

Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

The Speaker then laid Senate bill No. 399 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Mr. Speaker.	Boggs.
Acker.	Boon.
Albritton.	Branch.
Alexander.	Brown.
Avis.	Conway.
Barron.	Cornwell.
Bass.	Cox.
Bird.	Cummings.
Black.	Daniel.

Davis.	Poage.
DeBerry.	Pool.
Dielmann.	Pope.
Duvall.	Porter.
Enderby.	Powell.
Eickenroht.	Purl.
Finlay.	Ramsey.
Fly.	Rawlins.
Forbes.	Renfro of Mills.
Foster.	Rogers of Hays.
Gibson.	Rogers of Shelby.
Gilbert.	Rowell.
Gray.	Satterwhite.
Hagaman.	Shaver.
Hall.	Sheats.
Harding.	Shirley.
Hefley.	Simmons.
High.	Sinks.
Hogg.	Smith of El Paso.
Holland.	Smith of Nueces.
Jacks.	Smith of Smith.
Johnson.	Smyth.
Jones.	Snelgrove.
Kayton.	Stell.
Kennedy.	Storey.
Kincaid.	Stout.
King of Hopkins.	Swain.
King of	Taylor.
Throckmorton.	Teer.
Kinnear.	Tillotson.
Kirby.	Turner.
Kirkland.	Van Zandt.
Land.	Waddell.
Long.	Walker.
McCombs.	Wallace
McGill.	of Freestone.
Montgomery.	Wassell.
Moursund.	Webb.
Murphy.	Whitaker.
Nabors.	Williams
Nicholson.	of Sabine.
Olsen.	Williams
Parish of Runnels.	of Travis.
Parrish of Travis.	Williamson.
Pavlica.	Woodall.
Pearce.	Young.
Petsch.	

Nays—5.

Loftin.	Wallace of Panola.
Runge.	Ware.
Sanders.	

Present—Not Voting.

Barnett.	Farrar.
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Absent.

Bateman.	Harman.
Beck.	Hornaday.
Bonham.	Kenyon.
Denman.	Lipscomb.
Dunlap.	Loy.
Faulk.	Masterson.
Fuchs.	McKean.
Gates.	Merritt.
Graves.	Minor.

Morse.  
Renfro  
of Angelina.  
Shearer.  
Smith of Atascosa.

Stevenson.  
Sutton.  
Veatch.  
Wells.  
Woodruff.

Absent—Excused.

Anderson.  
Holder.  
Justice.

Kemble.  
Reagan.  
Wallace of Smith.

#### RELATING TO HOUSE BILL NO. 583.

On motion of Mr. Rawlins, House bill No. 583 was laid on the table subject to call.

#### HOUSE BILL NO. 580 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 580, A bill to be entitled "An Act organizing and dividing the State of Texas into nine Administrative Judicial Districts, naming the counties composing each Administrative District, providing for the appointment of a presiding judge in each Administrative District; prescribing the powers and duties of each presiding judge; providing for the payment of expenses incurred in the administration of this act, and declaring an emergency."

The bill was read second time.

Mr. Tillotson moved that further consideration of the bill be postponed until 11 o'clock a. m. next Monday.

Mr. Dielmann moved that the bill be laid on the table subject to call.

On motion of Mr. Teer the pending motions of Mr. Dielmann and Mr. Tillotson were tabled.

Mr. Petsch offered the following amendment to the bill:

Amend House bill No. 580, page 3, line 5, between the word "designated" and the word "as," the following: "and of the county of the residence of the judge."

Signed—Petsch, Wallace of Freestone.

The amendment was adopted.

Mr. Farrar offered the following amendment to the bill:

Amend House bill No. 580 by striking out all of lines 9 and 10, page 5, and insert in lieu thereof the words "shall be paid by the State in the same manner as the salaries of district judges are paid."

Signed—Farrar, Wallace of Freestone.

The amendment was adopted.

Mr. Loftin offered the following amendment to the bill:

Amend House bill No. 580 by striking out all of Section 8.

Mr. Petsch offered the following substitute for the amendment:

Amend substitute amendment to House bill No. 580 by striking out the first five lines in Section 8, up to the word "and," where the same occurs the first time in line 5.

Mr. Loftin moved to table the substitute amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—67.

Acker.	Kirkland.
Albritton.	Land.
Avis.	Loftin.
Barnett.	McCombs.
Bateman.	McGill.
Bird.	Merritt.
Black.	Murphy.
Boggs.	Nabors.
Boon.	Parish of Runnels.
Conway.	Pavlica.
Cummings.	Pearce.
Daniel.	Poage.
Denman.	Pope.
Enderby.	Purl.
Eickenroht.	Renfro of Mills.
Farrar.	Rogers of Shelby.
Faulk.	Sanders.
Finlay.	Shearer.
Gibson.	Sheats.
Gilbert.	Snelgrove.
Graves.	Stell.
Gray.	Storey.
Hagaman.	Stout.
Hall.	Tillotson.
Hefley.	Veatch.
Holland.	Walker.
Hornaday.	Wallace
Johnson.	of Freestone.
Jones.	Wallace of Panola.
Kennedy.	Ware.
Kincaid.	Webb.
King of	Woodall.
Throckmorton.	Woodruff.
Kinnear.	Young.

Nays—48.

Mr. Speaker.	Gates.
Alexander.	Harding.
Barron.	High.
Bass.	Hogg.
Beck.	Kayton.
Branch.	Kirby.
Cornwell.	Lipscomb.
Cox.	Long.
DeBerry.	Minor.
Dielmann.	Montgomery.
Duvall.	Morse.
Forbes.	Moursund.
Foster.	Parrish of Travis.



Petsch.	Smith of El Paso.
Pool.	Swain.
Powell.	Taylor.
Ramsey.	Teer.
Rawlins.	Turner.
Rogers of Hays.	Van Zandt.
Runge.	Waddell.
Satterwhite.	Wassell.
Shaver.	Wells.
Simmons.	Williams of Travis.
Sinks.	Williamson.

## Absent.

Bonham	Olsen.
Brown.	Porter.
Davis.	Renfro
Dunlap.	of Angelina.
Fly.	Rowell.
Fuchs.	Shirley.
Harman.	Smith of Atascosa.
Jacks.	Smith of Nueces.
Kenyon.	Smith of Smith.
King of Hopkins.	Smyth.
Loy.	Stevenson.
Masterson.	Sutton.
McKean.	Whitaker.
Nicholson.	Williams of Sabine.

## Absent—Excused.

Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

Question recurring on the amendment by Mr. Loftin, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—69.

Albritton.	Gray.
Avis.	Hall.
Barnett.	Harding.
Bateman.	Harman.
Bird.	Hefley.
Black.	High.
Boggs.	Johnson.
Bonham.	Kennedy.
Boon.	Kincaid.
Conway.	King of Hopkins.
Cornwell.	King of
Cummings.	Throckmorton.
Daniel.	Kirkland.
DeBerry.	Land.
Denman.	Lipscomb.
Dielmann.	Loftin.
Enderby.	Merritt.
Farrar.	Pavlica.
Faulk.	Pearce.
Finlay.	Poage.
Fly.	Pool.
Forbes.	Ramsey.
Gates.	Renfro of Mills.
Gibson.	Runge.
Gilbert.	Sanders.
Graves.	Sheats.

Smith of Nueces.	Wallace
Smyth.	of Freestone.
Snelgrove.	Wallace of Panola.
Stell.	Ware.
Stout.	Webb.
Taylor.	Williamson.
Tillotson.	Woodall.
Turner.	Woodruff.
Veatch.	Young.
Walker.	

## Nays—54.

Mr. Speaker.	Nabors.
Acker.	Parrish of Travis.
Alexander.	Petsch.
Barron.	Pope.
Bass.	Porter.
Branch.	Powell.
Cox.	Purl.
Duvall.	Rawlins.
Foster.	Rogers of Hays.
Hagaman.	Rogers of Shelby.
Hogg.	Rowell.
Holland.	Satterwhite.
Hornaday.	Shaver.
Jacks.	Shearer.
Jones.	Shirley.
Kayton.	Simmons.
Kinnear.	Sinks.
Kirby.	Smith of El Paso.
Long.	Smith of Smith.
McCombs.	Storey.
McGill.	Teer.
McKean.	Van Zandt.
Minor.	Waddell.
Montgomery.	Wassell.
Morse.	Wells.
Moursund.	Whitaker.
Murphy.	Williams of Travis.

## Absent.

Anderson.	Olsen.
Beck.	Parish of Runnels.
Brown.	Renfro
Davis.	of Angelina.
Dunlap.	Smith of Atascosa.
Eickenroht.	Stevenson.
Fuchs.	Sutton.
Kenyon.	Swain.
Loy.	Williams
Masterson.	of Sabine.
Nicholson.	

## Absent—Excused.

Holder.	Reagan.
Justice.	Wallace of Smith.
Kemble.	

Mr. Van Zandt moved to reconsider the vote by which the amendment was adopted and the motion to reconsider was lost.

Mr. Dielmann offered the following amendment to the bill:

Amend House bill No. 580 by adding after the period, in line 9, page 4, the

following: "If the term be extended as herein provided no other term of the court in such district shall fail because of said extension, but such other term may be opened and held as usual."

The amendment was adopted.

House bill No. 580 was then passed to engrossment.

### HOUSE BILL NO. 580 ON THIRD READING.

Mr. Rawlins moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 580 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112.

Mr. Speaker.	Kincaid.
Acker.	King of Hopkins.
Alexander.	Kinnear.
Avis.	Kirby.
Bass.	Kirkland.
Bateman.	Land.
Beck.	Lipscomb.
Bird.	Long.
Black.	McCombs.
Boggs.	McGill.
Bonham.	McKean.
Boon.	Merritt.
Branch.	Minor.
Brown.	Montgomery.
Conway.	Morse.
Cornwell.	Moursund.
Cox.	Murphy.
Daniel.	Nabors.
DeBerry.	Parish of Runnels.
Denman.	Parrish of Travis.
Dielmann.	Pavlica.
Duvall.	Pearce.
Enderby.	Petsch.
Faulk.	Poage.
Finlay.	Pool.
Fly.	Pope.
Forbes.	Powell.
Foster.	Purl.
Gates.	Ramsey.
Gibson.	Rawlins.
Gilbert.	Renfro of Mills.
Graves.	Rogers of Hays.
Gray.	Rogers of Shelby.
Hagaman.	Rowell.
Hall.	Runge.
Harding.	Shaver.
Hefley.	Shearer.
High.	Sheats.
Hogg.	Shirley.
Holland.	Simmons.
Hornaday.	Sinks.
Jacks.	Smith of El Paso.
Johnson.	Smith of Nueces.
Jones.	Smith of Smith.
Kayton.	Smyth.
Kennedy.	Snelgrove.

Stevenson.  
Storey.  
Stout.  
Taylor.  
Teer.  
Tillotson.  
Turner.  
Van Zandt.  
Veatch.  
Waddell.

Wallace  
of Freestone.  
Wallace of Panola.  
Wassell.  
Webb.  
Wells.  
Whitaker.  
Williams of Travis.  
Williamson.  
Woodall.  
Young.

Nays—10.

Albritton.  
Barnett.  
Farrar.  
King of  
Throckmorton.  
Loftin.

Sanders.  
Stell.  
Walker.  
Ware.  
Woodruff.

Absent.

Anderson.  
Barron.  
Cummings.  
Davis.  
Dunlap.  
Eickenroht.  
Fuchs.  
Harman.  
Kenyon.  
Loy.  
Masterson.

Nicholson.  
Olsen.  
Porter.  
Renfro  
of Angelina.  
Satterwhite.  
Smith of Atascosa.  
Sutton.  
Swain.  
Williams  
of Sabine.

Absent—Excused.

Holder.  
Justice.  
Kemble.

Reagan.  
Wallace of Smith.

The Speaker then laid House bill No. 580 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—115.

Mr. Speaker.	Denman.
Acker.	Dielmann.
Albritton.	Duvall.
Alexander.	Enderby.
Avis.	Faulk.
Bass.	Finlay.
Bateman.	Fly.
Beck.	Forbes.
Bird.	Foster.
Black.	Gates.
Boggs.	Gibson.
Bonham.	Gilbert.
Boon.	Graves.
Branch.	Gray.
Brown.	Hagaman.
Conway.	Hall.
Cornwell.	Harding.
Cox.	Hefley.
Daniel.	High.
DeBerry.	Hogg.

Holland.	Ramsey.
Hornaday.	Rawlins.
Jacks.	Renfro of Mills.
Johnson.	Rogers of Hays.
Jones.	Rogers of Shelby.
Kayton.	Rowell.
Kennedy.	Runge.
Kincaid.	Satterwhite.
King of Hopkins.	Shaver.
King of Throckmorton.	Shearer.
Kinnear.	Sheats.
Kirby.	Shirley.
Kirkland.	Simmons.
Land.	Sinks.
Lipscomb.	Smith of El Paso.
Long.	Smith of Nueces.
Masterson.	Smith of Smith.
McCombs.	Smyth.
McGill.	Snelgrove.
McKean.	Stevenson.
Merritt.	Storey.
Minor.	Stout.
Montgomery.	Taylor.
Morse.	Teer.
Moursund.	Tillotson.
Murphy.	Van Zandt.
Nabors.	Veatch.
Parish of Runnels.	Waddell.
Parrish of Travis.	Wallace of Freestone.
Pavlica.	Wassell.
Pearce.	Webb.
Petsch.	Wells.
Poage.	Whitaker.
Pool.	Williams of Travis.
Pope.	Williamson.
Porter.	Woodall.
Powell.	Young.
Purl.	

Nays—9.

Barnett.	Turner.
Farrar.	Walker.
Loftin.	Ware.
Sanders.	Woodruff.
Stell.	

Absent.

Anderson.	Loy.
Barron.	Nicholson.
Cummings.	Olsen.
Davis.	Renfro of Angelina.
Dunlap.	Smith of Atascosa.
Eickenroht.	Sutton.
Fuchs.	Swain.
Harman.	Wallace of Panola.
Kenyon.	Williams of Sabine.

Absent—Excused.

Holder.	Reagan.
Justice.	Wallace of Smith.
Kemble.	

#### HOUSE BILL NO. 578 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 578, A bill to be entitled "An Act to give the Supreme Court of Texas the power to make and establish all rules of civil procedure for the government of said court and the other courts of this State so as to expedite the dispatch of business therein, and to call to its assistance such judges and lawyers of the State as the Supreme Court may select to aid in formulating such rules, and to repeal such statutes of practice and procedure as may be in force when such rules go into effect."

The bill was read second time.

Mr. Petsch offered the following (committee) amendment to the bill:

Amend House bill No. 578 by striking out Section 4 and insert in lieu thereof the following:

"Section 4. To aid the Supreme Court in accomplishing the purpose of this act the court is directed to appoint a council of lawyers and judges composed of one representative from the several courts of civil appeals of Texas, two representatives from the several district courts of Texas, and eight practicing lawyers who for the past ten years have been actively engaged in the practice of law to study the subject of procedure in civil cases in this State and advise with the Supreme Court in adopting the rules of procedure in civil cases."

The amendment was adopted.

Mr. Parish of Runnels offered the following amendment to the bill:

Amend House bill No. 578 by striking out all of Section 1 and insert in lieu thereof a new section numbered 1, to read as follows:

"Section 1. On and after the thirty-first day of December, A. D. 1927, the following articles of the Revised Civil Statutes of the State of Texas shall be and are hereby abrogated and repealed:

"Articles 1730 and 1731; Articles 1739 to 1745, inclusive; Article 1747; Articles 1755 to 1759, inclusive; Articles 1761 to 1765, inclusive; Articles 1772 to 1774, inclusive; Articles 1837 to 1850, inclusive; Articles 1877 to 1883, inclusive; Articles 1997 to 2050, inclusive; Articles 2092 and 2093; Articles 2152 to 2190, inclusive; Articles 2202 and 2203; Articles 2208, 2209 and 2210; Articles 2229 to 2248, inclusive; Articles 2279 to 2286, inclusive; Articles 2289, 2291, 2292 and 2328."

Signed—Parish of Runnels, Rawlins.

The amendment was adopted.

Mr. Farrar moved that further consideration of the bill be postponed until 2 o'clock p. m. next Tuesday.

Yeas and nays were demanded and the motion to postpone was lost by the following vote:

## Yeas—54.

Albritton.	Masterson.
Avis.	McGill.
Beck.	Merritt.
Bird.	Murphy.
Boggs.	Nabors.
Bonham.	Pavlica.
Boon.	Poage.
Denman.	Porter.
Duvall.	Powell.
Enderby.	Rowell.
Eickenroht.	Runge.
Farrar.	Sanders.
Gates.	Sheats.
Gibson.	Simmons.
Gray.	Smith of Atascosa.
Hagaman.	Smith of El Paso.
Hall.	Smith of Nueces.
Hefley.	Stell.
Hornaday.	Stevenson.
Jones.	Stout.
Kennedy.	Sutton.
King of Hopkins.	Turner.
King of Throckmorton.	Wallace of Freestone.
Kirkland.	Wallace of Panola.
Land.	Ware.
Lipscomb.	Whitaker.
Loftin.	Woodruff.

## Nays—70.

Mr. Speaker.	Montgomery.
Alexander.	Morse.
Barnett.	Moursund.
Barron.	Olsen.
Bass.	Parish of Runnels.
Bateman.	Parrish of Travis.
Black.	Pearce.
Conway.	Petsch.
Cornwell.	Pool.
Cox.	Pope.
Cummings.	Purl.
Daniel.	Ramsey.
DeBerry.	Rawlins.
Faulk.	Renfro of Mills.
Finlay.	Rogers of Hays.
Fly.	Rogers of Shelby.
Forbes.	Satterwhite.
Foster.	Shaver.
Graves.	Shearer.
Harding.	Shirley.
High.	Sinks.
Hogg.	Smith of Smith.
Jacks.	Smyth.
Johnson.	Snelgrove.
Kincaid.	Storey.
Kinnear.	Swain.
Kirby.	Taylor.
Long.	Teer.
McCombs.	Tillotson.
McKean.	Van Zandt.
Minor.	Veatch.

Waddell.  
Walker.  
Wassell.  
Webb.  
Wells.

Williams  
of Travis.  
Williamson.  
Woodall.  
Young.

## Absent.

Acker.	Holland.
Branch.	Kayton.
Brown.	Kenyon.
Davis.	Loy.
Dielmann.	Nicholson.
Dunlap.	Renfro
Fuchs.	of Angelina.
Gilbert.	Williams
Harman.	of Sabine.

## Absent—Excused.

Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

Mr. Foster moved the previous question on the pending amendment and the passage of the bill to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

## Yeas—72.

Alexander.	Masterson.
Barnett.	McCombs.
Barron.	McKean.
Bass.	Minor.
Bateman.	Montgomery.
Boggs.	Morse.
Boon.	Moursund.
Conway.	Nabors.
Cornwell.	Olsen.
Cox.	Parish of Runnels.
Cummings.	Parrish of Travis.
Daniel.	Petsch.
Duvall.	Pool.
Eickenroht.	Pope.
Faulk.	Powell.
Finlay.	Purl.
Forbes.	Ramsey.
Foster.	Rawlins.
Gates.	Rogers of Hays.
Graves.	Rogers of Shelby.
High.	Satterwhite.
Hogg.	Shaver.
Hornaday.	Shearer.
Jacks.	Sheats.
Johnson.	Shirley.
Kennedy.	Simmons.
Kincaid.	Sinks.
Kinnear.	Smith of Nueces.
Kirby.	Smith of Smith.
Land.	Snelgrove.
Lipscomb.	Storey.
Loftin.	Sutton.
Long.	Taylor.



Teer.	Wells.
Veatch.	Whitaker.
Waddell.	Williams of Travis.
Wassell.	Williamson.
Webb.	Young.

## Nays—41.

Albritton.	Murphy.
Bird.	Pearce.
Black.	Poage.
Bonham.	Porter.
Denman.	Renfro of Mills.
Enderby.	Rowell.
Farrar.	Runge.
Fly.	Sanders.
Gibson.	Smith of Atascosa.
Gray.	Smith of El Paso.
Hagaman.	Stell.
Hall.	Stout.
Harding.	Tillotson.
Hefley.	Turner.
Holland.	Walker.
Jones.	Wallace
King of Hopkins.	of Freestone.
King of	Wallace of Panola.
Throckmorton.	Ware.
Kirkland.	Woodall.
McGill.	Woodruff.
Merritt.	

## Present—Not Voting.

DeBerry.	Van Zandt.
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## Absent.

Acker.	Kenyon.
Avis.	Loy.
Beck.	Nicholson.
Branch.	Pavlica.
Brown.	Renfro
Davis.	of Angelina.
Dielmann.	Smyth.
Dunlap.	Stevenson.
Fuchs.	Swain.
Gilbert.	Williams
Harman.	of Sabine.
Kayton.	

## Absent—Excused.

Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

Mr. Holland moved that the House adjourn until 10 o'clock a. m. next Monday, and the motion to adjourn was lost.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 578 was then passed to engrossment by the following vote:

## Yeas—62.

Mr. Speaker.	Black.
Barron.	Brown.
Bass.	Conway.
Beck.	Cornwell.

Cox.	Rawlins.
Daniel.	Renfro
Duvall.	of Angelina.
Finlay.	Rogers of Shelby.
Fly.	Rowell.
Forbes.	Satterwhite.
Foster.	Shaver.
High.	Shearer.
Hogg.	Shirley.
Hornaday.	Sinks.
Jacks.	Smith of El Paso.
Kennedy.	Smith of Smith.
Kincaid.	Storey.
Kinnear.	Swain.
Kirby.	Taylor.
Lipscomb.	Teer.
McCombs.	Van Zandt.
Minor.	Veatch.
Montgomery.	Waddell.
Morse.	Wallace
Moursund.	of Freestone.
Parish of Runnels.	Wallace of Panola.
Parrish of Travis.	Wassell.
Pearce.	Wells.
Petsch.	Whitaker.
Poage.	Williams of Travis.
Pope.	Williamson.
Purl.	Young.

## Nays—57.

Albritton.	Land.
Alexander.	Loftin.
Avis.	Long.
Barnett.	Masterson.
Bateman.	McGill.
Bird.	Merritt.
Boggs.	Murphy.
Bonham.	Nabors.
Boon.	Olsen.
Cummings.	Pavlica.
Denman.	Porter.
Enderby.	Renfro of Mills.
Eickenroht.	Rogers of Hays.
Farrar.	Runge.
Faulk.	Sanders.
Gates.	Simmons.
Gibson.	Smith of Atascosa.
Gilbert.	Smith of Nueces.
Graves.	Snelgrove.
Gray.	Stell.
Hagaman.	Stout.
Harding.	Sutton.
Hefley.	Tillotson.
Holland.	Turner.
Johnson.	Walker.
Jones.	Ware.
King of Hopkins.	Webb.
King of	Woodall.
Throckmorton.	Woodruff.

## Present—Not Voting.

DeBerry.

## Absent.

Acker.	Dielmann.
Branch.	Dunlap.
Davis.	Fuchs.

Hall.	Pool.
Harman.	Powell.
Kayton.	Ramsey.
Kenyon.	Sheats.
Kirkland.	Smyth.
Loy.	Stevenson.
McKean.	Williams
Nicholson.	of Sabine.

Absent—Excused.

Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

Reasons for Vote.

Mr. Speaker: I vote "nay"; this bill is too sweeping in its scope, and I am not familiar enough with its provisions to vote intelligently, therefore I vote to leave the law as it is.

STELL.

I vote "nay" on House bill No. 578 because I feel that the House has not given this measure sufficient consideration. It is a measure far-reaching in effect and I am unwilling to adopt such a radical change in our system without fully understanding the evils the measure will correct.

JONES.

I vote for House bill No. 578 realizing it is a far-reaching bill, but thinking that it will give us a better system of court procedure.

YOUNG.

# CONFERENCE COMMITTEE ON SENATE JOINT RESOLUTION NO. 24.

The Speaker appointed the following conference committee on Senate joint resolution No. 24:

Messrs. Acker, Fly, Sinks, Petsch and Rawlins.

## HOUSE BILL NO. 137 WITH SENATE AMENDMENTS.

Mr. Gilbert called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 137, A bill to be entitled "An Act to amend Article 2350 of the Revised Civil Statutes of Texas, changing the year upon which is based the assessed valuation of taxable properties affected by the act to be amended relating to the compensation of county commissioners, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Gilbert, the House

concurred in the Senate amendments by the following vote:

Yeas—73.

Mr. Speaker.	Montgomery.
Albritton.	Morse.
Alexander.	Moursund.
Barron.	Murphy.
Bass.	Parish of Runnels.
Beck.	Pope.
Bird.	Porter.
Bonham.	Rawlins.
Branch.	Renfro of Mills.
Brown.	Rogers of Hays.
Conway.	Rowell.
Cornwell.	Runge.
Cox.	Sanders.
Cummings.	Satterwhite.
Daniel.	Shearer.
DeBerry.	Shirley.
Denman.	Simmons.
Enderby.	Smith of El Paso.
Fly.	Smith of Nueces.
Foster.	Smith of Smith.
Gates.	Stevenson.
Gibson.	Storey.
Gilbert.	Sutton.
Graves.	Teer.
Hall.	Tillotson.
Hefley.	Turner.
Hogg.	Van Zandt.
Hornaday.	Waddell.
Johnson.	Ware.
Jones.	Wells.
Kinnear.	Whitaker.
Kirby.	Williams
Loftin.	of Sabine.
Long.	Williams
Loy.	of Travis.
Masterson.	Woodall.
McCombs.	Woodruff.
McGill.	Young.
Minor.	

Nays—29.

Avis.	Nabors.
Barnett.	Olsen.
Black.	Pavlica.
Boggs.	Pearce.
Davis.	Poage.
Duvall.	Renfro
Farrar.	of Angelina.
Finlay.	Rogers of Shelby.
Forbes.	Smith of Atascosa.
High.	Snelgrove.
Holland.	Stout.
Jacks.	Veatch.
King of	Walker.
Throckmorton.	Wallace
Kirkland.	of Freestone.
Merritt.	Wassell.

Present—Not Voting.

Bateman.	Stell.
Shaver.	
	Absent.
Acker.	Boon.

Dielmann.	McKean.
Dunlap.	Nicholson.
Eickenroht.	Parrish of Travis.
Faulk.	Petsch.
Fuchs.	Pool.
Gray.	Powell.
Hagaman.	Purl.
Harding.	Ramsey.
Harman.	Sheats.
Kayton.	Sinks.
Kennedy.	Smyth.
Kenyon.	Swain.
Kincaid.	Taylor.
King of Hopkins.	Wallace of Panola.
Land.	Webb.
Lipscomb.	Williamson.

Absent—Excused.

Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

## BILLS ORDERED NOT PRINTED.

On motion of Mr. Wells, Senate bill No. 174 was ordered not printed.

On motion of Mr. Rogers of Shelby, House bill No. 636 was ordered not printed.

## HOUSE BILL NO. 638 ON SECOND READING.

On motion of Mr. Stell, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 638, A bill to be entitled "An Act to authorize the transfer of civil cases in Lamar county from the docket of the Sixth Judicial District to the docket of the Sixty-second Judicial District and from the Sixty-second Judicial District to the Sixth Judicial District at the close of each term, during term time or in vacation, and declaring an emergency."

The Speaker then laid the bill before the House, it was read second time and was passed to engrossment.

## HOUSE BILL NO. 638 ON THIRD READING.

Mr. Stell moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 638 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Nr. Speaker.	Barron.
Alexander.	Bass.
Aris.	Bateman.
Birnett.	Beck.

Bird.	Pope.
Black.	Porter.
Boggs.	Purl.
Boon.	Ramsey.
Brown.	Rawlins.
Conway.	Renfro
Cornwell.	of Angelina.
Cox.	Renfro of Mills.
Cummings.	Rogers of Shelby.
Daniel.	Rowell.
Davis.	Runge.
DeBerry.	Sanders.
Duvall.	Satterwhite.
Enderby.	Shaver.
Farrar.	Shearer.
Finlay.	Shirley.
Fly.	Simmons.
Forbes.	Sinks.
Gates.	Smith of Atascosa.
Gibson.	Smith of El Paso.
Gilbert.	Smith of Nueces.
Graves.	Smith of Smith.
Hall.	Snelgrove.
Hefley.	Stell.
High.	Storey.
Hogg.	Stout.
Hornaday.	Sutton.
Jacks.	Swain.
Johnson.	Taylor.
Jones.	Teer.
Kennedy.	Tillotson.
Kincaid.	Turner.
Kinnear.	Van Zandt.
Kirby.	Veatch.
Land.	Waddell.
Loftin.	Walker.
Masterson.	Wallace
McCombs.	of Freestone.
McGill.	Wallace of Panola.
Merritt.	Ware.
Minor.	Wassell.
Montgomery.	Webb.
Morse.	Wells.
Moursund.	Whitaker.
Murphy.	Williams
Nabors.	of Sabine.
Olsen.	Williams
Parish of Runnels.	of Travis.
Pavlica.	Woodall.
Pearce.	Woodruff.
Petsch.	Young.
Poage.	

Nays—3.

Albritton.	Kirkland.
Hagaman.	

Absent.

Acker.	Gray.
Bonham.	Harding.
Branch.	Harman.
Denman.	Holland.
Dielmann.	Kayton.
Dunlap.	Kenyon.
Eickenroht.	King of Hopkins.
Faulk.	King of
Fuchs.	Throckmorton.

Lipscomb.	Powell.
Long.	Rogers of Hays.
Loy.	Sheats.
McKean.	Smyth.
Nicholson.	Stevenson.
Parrish of Travis.	Williamson.
Pool.	

Absent—Excused.

Anderson.	Kemble.
Foster.	Reagan.
Holder.	Wallace of Smith.
Justice.	

The Speaker then laid House bill No. 638 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107.

Mr. Speaker.	Masterson.
Albritton.	McCombs.
Alexander.	McGill.
Avis.	Minor.
Barnett.	Montgomery.
Bass.	Moursund.
Bateman.	Murphy.
Beck.	Nabors.
Bird.	Olsen.
Black.	Parish of Runnels.
Boggs.	Pavlica.
Boon.	Pearce.
Brown.	Petsch.
Conway.	Poage.
Cornwell.	Pope.
Cox.	Porter.
Cummings.	Purl.
Daniel.	Rawlins.
Davis.	Renfro
DeBerry.	of Angelina.
Duvall.	Renfro of Mills.
Enderby.	Rogers of Hays.
Farrar.	Rogers of Shelby.
Finlay.	Rowell.
Fly.	Runge.
Forbes.	Sanders.
Gates.	Satterwhite.
Gibson.	Shaver.
Gilbert.	Shearer.
Graves.	Shirley.
Hagaman.	Simmons.
Hall.	Sinks.
Hefley.	Smith of Atascosa.
High.	Smith of El Paso.
Hogg.	Smith of Nueces.
Hornaday.	Smith of Smith.
Jacks.	Snelgrove.
Johnson.	Stell.
Jones.	Storey.
Kennedy.	Stout.
Kincaid.	Sutton.
Kinnear.	Swain.
Kirby.	Taylor.
Kirkland.	Teer.
Land.	Tillotson.
Loftin.	Turner.

Van Zandt.	Wells.
Veatch.	Whitaker.
Waddell.	Williams
Walker.	of Sabine.
Wallace	Williams
of Freestone.	of Travis.
Wallace of Panola.	Woodall.
Ware.	Woodruff.
Wassell.	Young.
Webb.	

Absent.

Acker.	King of
Barron.	Throckmorton.
Bonham.	Lipscomb.
Branch.	Long.
Denman.	Loy.
Dielmann.	McKean.
Dunlap.	Merritt.
Eickenroht.	Morse.
Faulk.	Nicholson.
Foster.	Parrish of Travis.
Fuchs.	Pool.
Gray.	Powell.
Harding.	Ramsey.
Harman.	Sheats.
Holland.	Smyth.
Kayton.	Stevenson.
Kenyon.	Williamson.
King of Hopkins.	

Absent—Excused.

Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

#### EXTENDING THANKS TO THE CITIZENS OF AUSTIN.

Mr. Poage offered the following resolution:

Whereas, The members and employes of the House were, on yesterday afternoon, the guests of the citizens of Austin at one of the most enjoyable entertainments of this session of the Legislature; and

Whereas, The citizens of Austin spared no effort to provide for the pleasure of their guests; and

Whereas, Each and every member of the House, as well as the employes, enjoyed the entertainment thus provided, and especially appreciate the splendid spirit of friendship exhibited by the citizens of Austin on this and many other occasions; therefore, be it

Resolved by the House of Representatives of the Legislature of Texas, That we take this means of expressing our sincere appreciation of the hospitality thus exhibited, and that we hereby extend our thanks to the citizens of Austin for the courtesies extended us.

Signed—Poage, Brown.

The resolution was read second time and was adopted.



## BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 291, "An Act amending Articles 3334 and 3336 of the Revised Civil Statutes of 1925, relating to the manner of service of citation on application for the probate of wills, and inserting Article 3334a, validating the service of citation and the probating of wills, in so far as notice is concerned, where citation has been made by publication, as provided for by Article 28, without posting notices, and declaring an emergency."

H. B. No. 264, "An Act to authorize the Commissioner of the General Land Office to revalue, reclassify and give new notice on all scrap school surveys, which were valued and classified on March 26, 1926, and allow all applicants sixty days after such reclassification and revaluation in which to file applications to purchase said land, and declaring an emergency."

H. B. No. 203, "An Act to amend Article 6214, Title 109, Revised Civil Statutes, 1925, so as to provide that Confederate veterans receiving pensions from the United States government on account of services rendered subsequent to the Civil War shall not be deprived of pensions under the general laws of this State, and all Confederate veterans who are inmates of the Confederate Home may receive pensions equal in amount to one-half of the pensions payable to non-inmate veterans, and declaring an emergency."

H. B. No. 359, "An Act repealing Article 7067 of the Revised Civil Statutes of Texas, 1925, imposing an occupation tax on any individual, company, corporation or association owning, operating or controlling any interurban, trolley, traction, or electric street railway in this State and charging for transportation of said railway, and providing for the payment of a franchise tax by such individual, company, corporation, or association, and declaring an emergency."

S. B. No. 199, "An Act amending Section 1, of Chapter 44 of the General Laws of the Regular Session of the Thirty-ninth Legislature relating to bounties for the destruction of certain predatory animals, so that said Chapter 44 will hereafter include and apply to the counties of Burnet and Llano in addition to the counties now mentioned in Chapter 44, and declaring an emergency."

S. B. No. 221, "An Act amending Articles 4704 and 4708 of the Revised Civil Statutes of 1925, so as to provide that stock of any insurance company organized under the laws of this State shall be divided into shares of not less than ten dollars each and not more than one hundred dollars each; and providing that the affairs of any insurance company organized under the laws of this State shall be managed by not fewer than seven directors, all of whom shall be stockholders in the company, and declaring an emergency."

S. B. No. 332, "An Act to amend Article 3884, Revised Civil Statutes of 1925, relating to compensation of deputies and assistants of certain district and county officers, and declaring an emergency."

S. B. No. 434, "An Act repealing special road law for Brazoria county."

S. B. No. 423, "An Act defining the jurisdiction of the county court of Harrison county."

S. B. No. 425, "An Act to amend Article 7065, Chapter 7, Title 121 of the Revised Civil Statutes of 1925, so as to place Briscoe county under the provisions of said Chapter 7, Title 121."

S. B. No. 353, "An Act repealing local and special road law of Parker county, Texas, which was presented to the Governor for approval on March 21, A. D. 1899, and became a law without his approval, and repealing any and all local or special road laws for Parker county, and declaring an emergency."

S. B. No. 454, "An Act validating the town of Sudan in Lamb county."

S. B. No. 432, "An Act to extend Oil and Gas Permit No. 9892 covering about 540 acres in the bed of the San Bernard River, issued on September 22, 1925, such extension to be for a period of two years from the present date of expiration of said permit, and declaring an emergency."

S. B. No. 431, "An Act to extend Oil and Gas Permit No. 10199 covering about 243 acres in the bed of the San Bernard River, issued on December 11, 1925, such extension to be for a period of two years from the present date of expiration of said permit, and declaring an emergency."

S. B. No. 187, "An Act fixing compensation for county tax assessors in counties containing a city with a population of over 125,000 according to the last United States census, where the county assessor of taxes compiles and makes a transfer book or card index compiled from the real estate transfers recorded in the county clerk's office showing the

names transferred to, last owner assessed to, volume and page, description of property, assessed valuation and the consideration in the transfer; keeps a building permit record or card index of all building permits issued showing name of owner, date of permit, description of property on which building is located, etc., and declaring an emergency."

S. B. No. 238, "An Act to revive and extend for a period of two years from the passage of this act, Oil and Gas Permit No. 2609, embracing two hundred acres in San Jacinto Bay, Harris county, Texas, said reviving and extension to be upon the same terms and conditions on which the original permit was issued, except that the owners who may desire to take advantage of this act shall pay into the General Land Office within thirty days after the taking effect hereof twenty-five cents per acre for each acre within the permit for the first year and fifty cents per acre for each acre within the permit for the second year; providing for the payment of royalty to the State in the manner provided by law for other leases in the same locality, and declaring an emergency."

S. B. No. 443, "An Act relating to special road bond for Guadalupe county."

#### HOUSE BILL NO. 618 ON SECOND READING.

On motion of Mr. Morse, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 618, A bill to be entitled "An Act to revive and extend the time of expiration of Oil and Gas Permit No. 7978 on 36.2 acres of the bed of Goose Creek in Harris county, Texas, for a period of three years from June 11, 1927, upon the same terms and conditions on which the original permit was issued, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 618 ON THIRD READING.

Mr. Morse moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 618 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107.

Mr. Speaker.  
Alexander.  
Avis.  
Barnett.  
Barron.  
Bass.  
Bateman.  
Beck.  
Black.  
Boggs.  
Bonham.  
Boon.  
Brown.  
Conway.  
Cornwell.  
Cox.  
Cummings.  
Daniel.  
Davis.  
DeBerry.  
Duvall.  
Enderby.  
Farrar.  
Finlay.  
Fly.  
Gates.  
Gibson.  
Gilbert.  
Graves.  
Gray.  
Hagaman.  
Hall.  
Hefley.  
High.  
Hornaday.  
Jacks.  
Johnson.  
Jones.  
Kincaid.  
Kinnear.  
Kirby.  
Kirkland.  
Land.  
Loftin.  
Long.  
Masterson.  
McCombs.  
McGill.  
Merritt.  
Minor.  
Morse.  
Moursund.  
Murphy.  
Nabors.

Parish of Runnels.  
Pavlica.  
Pearce.  
Poage.  
Pope.  
Porter.  
Purl.  
Rawlins.  
Renfro  
of Angelina.  
Renfro of Mills.  
Rogers of Shelby.  
Rowell.  
Runge.  
Sanders.  
Satterwhite.  
Shaver.  
Shearer.  
Shirley.  
Simmons.  
Sinks.  
Smith of Atascosa.  
Smith of El Paso.  
Smith of Nueces.  
Smith of Smith.  
Snelgrove.  
Stell.  
Storey.  
Stout.  
Sutton.  
Swain.  
Taylor.  
Teer.  
Tillotson.  
Turner.  
Van Zandt.  
Veatch.  
Waddell.  
Walker.  
Wallace  
of Freestone.  
Wallace of Panola.  
Ware.  
Wassell.  
Webb.  
Wells.  
Whitaker.  
Williams  
of Sabine.  
Williams  
of Travis.  
Woodall.  
Young.

Nays—1.

Absent.

Kennedy.

Acker.  
Albritton.  
Bird.  
Branch.  
Denman.  
Dielmann.  
Dunlap.

Eickenroht.  
Faulk.  
Forbes.  
Foster.  
Fuchs.  
Harding.  
Harman.

Hogg.	Olsen.
Holland.	Parrish of Travis.
Kayton.	Petsch.
Kenyon.	Pool.
King of Hopkins.	Powell.
King of Throckmorton.	Ramsey.
Lipscomb.	Rogers of Hays.
Loy.	Sheats.
McKean.	Smyth.
Montgomery.	Stevenson.
Nicholson.	Williamson.
	Woodruff.

Absent—Excused.

Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

The Speaker then laid House bill No. 618 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Mr. Speaker.	Kirby.
Alexander.	Kirkland.
Avis.	Land.
Barnett.	Loftin.
Bass.	Long.
Bateman.	Masterson.
Beck.	McCombs.
Black.	McGill.
Boggs.	Merritt.
Bonham.	Minor.
Boon.	Montgomery.
Brown.	Morse.
Conway.	Moursund.
Cornwell.	Murphy.
Cox.	Nabors.
Cummings.	Parish of Runnels.
Daniel.	Pavlica.
Davis.	Pearce.
Duvall.	Poage.
Enderby.	Pope.
Farrar.	Porter.
Finlay.	Purl.
Fly.	Rawlin.
Forbes.	Renfro.
Gates.	of Angelina.
Gibson.	Renfro of Mills.
Gilbert.	Rogers of Hays.
Graves.	Rogers of Shelby.
Gray.	Rowell.
Hagaman.	Runge.
Hall.	Sanders.
Hefley.	Shaver.
High.	Shearer.
Hornaday.	Shirley.
Jacks.	Simmons.
Johnson.	Sinks.
Jones.	Smith of El Paso.
Kennedy.	Smith of Nueces.
Kincaid.	Smith of Smith.
King of Hopkins.	Snelgrove.
Kinnear.	Stell.

Storey.	Wallace of Panola.
Sutton.	Ware.
Swain.	Wassell.
Taylor.	Webb.
Tillotson.	Wells.
Turner.	Whitaker.
Van Zandt.	Williams.
Veatch.	of Sabine.
Waddell.	Williams.
Walker.	of Travis.
Wallace.	Woodall.
of Freestone.	Young.

Nays—1.

Stout.

Present—Not Voting.

DeBerry.

Absent.

Acker.	Lipscomb.
Albritton.	Loy.
Barron.	McKean.
Bird.	Nicholson.
Branch.	Olsen.
Denman.	Parrish of Travis.
Dielmann.	Petsch.
Dunlap.	Pool.
Eickenroht.	Powell.
Faulk.	Ramsey.
Foster.	Satterwhite.
Fuchs.	Sheats.
Harding.	Smith of Atascosa.
Harman.	Smyth.
Hogg.	Stevenson.
Holland.	Teer.
Kayton.	Williamson.
Kenyon.	Woodruff.
King of Throckmorton.	

Absent—Excused.

Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

## HOUSE BILL NO. 452 ON SECOND READING.

On motion of Mr. Smith of El Paso, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 452, A bill to be entitled "An Act to amend Chapter 93 of the Acts of the Thirty-fifth Legislature as amended and approved by the Governor March 18, 1918, and being 'An Act restoring jurisdiction on the county court of El Paso county, and making same concurrent with the county court at law of El Paso county,' prescribing and fixing jurisdiction of the county court of El Paso county, Texas; prescribing and fixing the jurisdiction of the county

court at law of El Paso county, Texas; fixing the salary of the judges of the El Paso county court of El Paso county and of the El Paso county court at law; providing for the election of the judge of the El Paso county court at law; providing for the appointment of special judges; fixing and prescribing the jurisdiction of the county court of El Paso county, Texas, and investing the county court at law of El Paso county, Texas, with all jurisdiction of civil and criminal cases, original and appellate, over which, by the general laws of the State of Texas, the county court has jurisdiction; providing for the appointment of an official shorthand reporter of the El Paso county court at law, and providing for the compensation thereof, and fixing the salary of the judge of the county court of El Paso county; providing and authorizing the appointment of an official shorthand reporter for the county court of El Paso county, Texas, and fixing the compensation thereof, and authorizing the county judge of El Paso county, Texas, to appoint such official shorthand reporter, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Smith of El Paso offered the following amendment to the bill:

(1)

Amend House bill No. 452 by striking out everything after the enacting clause and inserting in lieu thereof the following:

Section 1. That Chapter 16, Title 36, Revised Civil Statutes of the State of Texas of 1920, as retained by virtue of the provision of Article 1970, the Revised Civil Statutes of the State of Texas of 1925, be amended so as hereafter to read as follows:

Article 1811 (133). Court Created.—There is hereby created a court to be held in El Paso county, Texas, to be known and designated as the "El Paso County Court at Law." (Acts 1917, ch. 93, Sec. 1.)

Art. 1811 (134). Jurisdiction.—The El Paso county court at law shall have jurisdiction of all civil matters and causes, original and appellate over which by the general laws of the State of Texas the county court of said county would have jurisdiction, except as provided in Section 3 of this act; and the El Paso county court at law of said county shall have jurisdiction in all criminal matters and causes, original and appellate over which by the general

laws of this State the county court has jurisdiction, except as provided in Section 3 of this act (Art. 1811-135); and all civil and criminal writs and processes heretofore issued by and out of said county court be, and the same are hereby made returnable to the El Paso county court at law of El Paso county, Texas. The jurisdiction of El Paso county court at law and the judge thereof shall extend to all matters of eminent domain of which jurisdiction has heretofore rested in the county court of El Paso, Texas, or the judge thereof, but this provision shall not affect the jurisdiction of the commissioners court or of the county judge of El Paso county as presiding judge of said court, as to roads, bridges and public highways and matters of eminent domain which are now within the jurisdiction of the commissioners court or of the judge of the county court of El Paso county, Texas. (Acts 1917, ch. 93, Sec. 2; Acts 1918, 4th C. S., ch. 14, Sec. 1.)

Art. 1811 (135). Jurisdiction.—The county court of El Paso county, Texas, shall retain, as heretofore, its jurisdiction as a juvenile court, its jurisdiction in matters pertaining to liquor licenses, forfeitures and bonds and the general jurisdiction of a probate court; it shall probate wills, appoint guardians of minors, idiots and lunatics, persons non compos mentis and drunkards, grant letters testamentary and of administration, settle accounts with administrators, executors and guardians, transact all business pertaining to deceased persons, and to apprentice minors as provided by law. The county judge of El Paso county, Texas, shall be the judge of the county court of El Paso county, Texas, and all ex-officio duties of the county judge shall be exercised by said judge of the said county court of El Paso county, except in so far as the same shall by this act be committed to the judge of the El Paso county court at law. (Acts 1917, ch. 93, Sec. 3; Acts 1918, 4th C. S., ch. 14, Sec. 2.)

Art. 1811 (136). Power to Issue Writs.—Both the said county court of El Paso county and the El Paso county court at law or either of the judges thereof shall have the power to issue writs of injunction, sequestration, attachments, garnishment, certiorari, supersedeas and all other writs necessary to the enforcement of the jurisdiction of said courts; and also power to punish for contempt under such provisions as are, or may be provided by the general



laws governing county courts throughout the State, and to issue writs of habeas corpus, in cases where the offense charged is within the jurisdiction of said courts or of any court or tribunal inferior to said courts. (Acts 1917, ch. 93, Sec. 4.)

Art. 1811 (137). Terms of Court.—The terms of the El Paso county court at law and the practice therein and appeals and writs of error therefrom shall be as prescribed by law relating to county courts. The terms of the El Paso county court at law shall be held not less than four times each year, and the commissioners court of El Paso county shall fix the times at which said court shall hold its terms, until the same shall be changed according to law. (Id. Sec. 5.)

Art. 1811 (138). Relating to Continuance in Office of the Present Judge of the El Paso County Court at Law; Appointment, Election, Qualifications of Judge.—The judge of the El Paso county court at law who was elected at the last general election before this act takes effect, shall continue to hold such office until the next general election and until his successor shall have been elected and qualified. All vacancies in such office shall be filled by appointment by the Governor until the next general election thereafter and such judge so appointed shall hold such office until the next general election after his appointment and until his successor shall have been elected and qualified. At each general election hereafter there shall be elected by the qualified voters of El Paso county, a judge of the El Paso county court at law who shall be well informed in the laws of this State, who shall hold his office for two years and until his successor shall have been duly elected and qualified; provided that no person shall be eligible for judge of the El Paso county court at law by election unless he shall be a citizen of the United States and of this State; who shall have been a practicing lawyer of this State or a judge of a court in this State for at least four years next preceding his election, and who shall have resided in the county of El Paso for two years next preceding his election. (Id. Sec. 6.)

Art. 1811 (139). Bond and Oath of Judge.—The judge of the El Paso county court at law shall execute a bond and take the oath of office as required by law relating to county judges. (Id. Sec. 7.)

Art. 1811 (140). Special Judge.—A

special judge of the El Paso county court at law may be appointed or elected as provided by laws relating to county courts and the judges thereof. (Id. Sec. 8.)

Art. 1811 (141). Clerk; Seal; Sheriff.—The county clerk of El Paso county shall be the clerk of the El Paso county court at law; the seal of said court shall be the same as that provided for county courts, except that the seal shall contain the words "El Paso County Court at Law." The sheriff of El Paso county shall, in person or by deputy, attend the court when required by the judge thereof. (Id. Sec. 9.)

Art. 1811 (141a). Official Shorthand Reporter; the Appointment; Term of Office; Oath; Duties.—For the purpose of preserving a record in all cases for the information of the court, jury and parties, the judge of the county court at law of El Paso county, Texas, shall appoint an official shorthand reporter for such court, who shall be well skilled in his profession, shall be a sworn officer of the court and shall hold his office at the pleasure of the court; and the provisions of Chapter 11, of Title 37, of the Revised Civil Statutes of Texas of 1911, relating to the appointment of stenographers for the district court shall, and it is hereby made to apply in all its provisions, in so far as they are applicable to the official shorthand reporter herein authorized to be appointed by the judge of the county court at law of El Paso county, Texas, and he shall be entitled to the same fees and shall perform the same duties and shall take the same oath as are in said Chapter 11, of Title 37, provided for the stenographers of district courts of this State, and also be governed by any other laws covering the stenographers of district courts of this State, and in addition thereto receive a salary of eighteen hundred (\$1800) dollars annually to be paid monthly out of the county treasury upon order of the commissioners court. (Acts 1918, 4th C. S., ch. 14, Sec. 3.)

Art. 1811 (141b).—For the purpose of preserving a record of all hearings had before the county judge of El Paso county, Texas; for the information of the court and parties that may be interested therein, the judge of the county court of El Paso county, Texas, shall appoint an official shorthand reporter for such court who shall be well skilled in his profession, shall be a sworn officer of the court, and shall hold office at the pleasure of the county judge,



and all provisions of the Civil Statutes of the State of Texas, relating to the appointment of stenographers for district courts, shall, and it is hereby made and applied in all its provisions in so far as they are applicable to the official shorthand reporter herein authorized to be appointed by the county judge of El Paso county, Texas, and such shorthand reporter shall receive a salary of twelve hundred (\$1,200) dollars annually to be paid monthly out of the county treasury of El Paso county upon orders of the commissioners court.

Art. 1811 (143). Compensation of Judge.—The judge of the El Paso county court at law shall be entitled to the following compensation for his services as judge of the El Paso county court at law: there shall be taxed and collected by the El Paso county court at law the same fees provided by the law for county judges in similar cases, all of which shall be paid by the clerk monthly into the county treasury, and the judge of said court shall receive a salary of four thousand (\$4,000) dollars annually to be paid monthly out of the county treasury upon order of the commissioners court. (Acts 1917, ch. 93, Sec. 11; Acts 1918, 4th C. S., ch. 14, Sec. 4.)

Art. 1811 (144). Removal of Judge.—The judge of the El Paso county court at law may be removed from office in the same manner and for the same causes as any other county judge may be removed under the laws of this State. (Acts 1917, ch. 93, Sec. 12.)

Art. 1811 (145). Salary of County Judge.—The county judge of El Paso county shall hereafter receive from the county treasury, in addition to the fees allowed him by law, such a salary for the ex-officio duties not exceeding in the aggregate of fees and salary that which the existing laws provide for. (Id. Sec. 13.)

Art. 1811 (145a). Repeal; Partial Invalidity of Act.—All laws and parts of laws in conflict herewith be, and the same are hereby repealed, and it is further enacted that if any of the provisions of this act shall be held void or in conflict with any provisions of the Constitution of this State the fact that such provisions may be held void shall in no wise affect any other provisions of this act. (Acts 1918, 4th C. S., ch. 14, Sec. 5.)

The fact that the duties and business of the county court and the judge

thereof, together with his duties as head of the commissioners court of El Paso county, Texas, are so large and arduous, together with a necessity of keeping a record of the hearing before such county judge, together with the small salary allowed the judge of the El Paso county court at law, creates an emergency and imperative public necessity that the constitutional rule that all bills be read on three several days be hereby suspended, and that this act take effect and be in force from and after its passage, and it is hereby so enacted.

The amendment was adopted.

House bill No. 452 was then passed to engrossment.

### HOUSE BILL NO. 452 ON THIRD READING.

Mr. Smith of El Paso moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 452 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Mr. Speaker.

Alexander.

Avis.

Barnett.

Barron.

Bass.

Bateman.

Beck.

Bird.

Black.

Boggs.

Bonham.

Boon.

Brown.

Conway.

Cummings.

Daniel.

Davis.

DeBerry.

Duvall.

Enderby.

Farrar.

Finlay.

Fly.

Forbes.

Gates.

Gibson.

Gilbert.

Hagaman.

Hefley.

High.

Hornaday.

Jacks.

Johnson.

Jones.

Kincaid.

King of

Throckmorton.

Kirby.

Kirkland.

Land.

Long.

Masterson.

McGill.

Merritt.

Minor.

Montgomery.

Morse.

Moursund.

Nabors.

Olsen.

Parish of Runnels.

Pavlica.

Pearce.

Petsch.

Poage.

Pope.

Porter.

Purl.

Rawlins.

Renfro

of Angelina.

Renfro of Mills.

Rogers of Hays.

Rogers of Shelby.

Rowell.

Runge.

Sanders.

Satterwhite.	Van Zandt.
Shaver.	Waddell.
Shearer.	Walker.
Shirley.	Wallace
Simmons.	of Freestone.
Sinks.	Wallace of Panola.
Smith of Atascosa.	Ware.
Smith of Nueces.	Wassell.
Smith of Smith.	Webb.
Snelgrove.	Wells.
Stell.	Whitaker.
Storey.	Williams
Stout.	of Sabine.
Taylor.	Williams
Teer.	of Travis.
Tillotson.	Woodall.
Turner.	Young.

Nays—1.

Kennedy.

Absent.

Acker.	King of Hopkins.
Albritton.	Lipscomb.
Branch.	Loftin.
Cornwell.	Loy.
Cox.	McCombs.
Denman.	McKean.
Dielmann.	Murphy.
Dunlap.	Nicholson.
Eickenroht.	Parrish of Travis.
Faulk.	Pool.
Foster.	Powell.
Fuchs.	Ramsey.
Graves.	Sheats.
Gray.	Smith of El Paso.
Hall.	Smyth.
Harding.	Stevenson.
Harman.	Sutton.
Hogg.	Swain.
Holland.	Veatch.
Kayton.	Williamson.
Kenyon.	Woodruff.
Kinnear.	

Absent—Excused.

Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

The Speaker then laid House bill No. 452 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Mr. Speaker.	Black.
Alexander.	Boggs.
Avis.	Bonham.
Barnett.	Boon.
Barron.	Brown.
Bass.	Conway.
Bateman.	Cornwell.
Beck.	Cox.
Bird.	Cummings.

Daniel.	Poage.
Davis.	Pope.
DeBerry.	Purl.
Farrar.	Rawlins.
Fly.	Renfro of Mills.
Forbes.	Rogers of Hays.
Foster.	Rogers of Shelby.
Gates.	Rowell.
Gibson.	Runge.
Gilbert.	Sanders.
Graves.	Shaver.
Gray.	Shearer.
Hagaman.	Shirley.
Hefley.	Simmons.
High.	Sinks.
Hogg.	Smith of Atascosa.
Holland.	Smith of Nueces.
Hornaday.	Smith of Smith.
Jacks.	Snelgrove.
Johnson.	Stell.
Jones.	Storey.
Kennedy.	Taylor.
Kincaid.	Teer.
King of	Tillotson.
Throckmorton.	Turner.
Kirby.	Van Zandt.
Kirkland.	Waddell.
Land.	Walker.
Loftin.	Wallace
Long.	of Freestone.
McCombs.	Wallace of Panola.
McGill.	Ware.
Merritt.	Wassell.
Montgomery.	Webb.
Morse.	Wells.
Moursund.	Whitaker.
Nabors.	Williams
Olsen.	of Sabine.
Parish of Runnels.	Williams
Pavlica.	of Travis.
Pearce.	Woodall.
Petsch.	Young.

Absent.

Acker.	McKean.
Albritton.	Minor.
Branch.	Murphy.
Denman.	Nicholson.
Dielmann.	Parrish of Travis.
Dunlap.	Pool.
Duvall.	Porter.
Enderby.	Powell.
Eickenroht.	Ramsey.
Faulk.	Renfro
Finlay.	of Angelina.
Fuchs.	Satterwhite.
Hall.	Sheats.
Harding.	Smith of El Paso.
Harman.	Smyth.
Kayton.	Stevenson.
Kenyon.	Stout.
King of Hopkins.	Sutton.
Kinnear.	Swain.
Lipscomb.	Veatch.
Loy.	Williamson.
Masterson.	Woodruff.

## Absent—Excused.

Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

## HOUSE BILL NO. 605 ON SECOND READING.

On motion of Mr. Brown, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 605, A bill to be entitled "An Act amending Section 2, of Article 199, Title 8, Revised Civil Statutes of Texas of 1925, and providing for changing and prescribing terms and times of holding the courts in the Second Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances, and making them returnable to the terms of court in the several counties in said district as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under the present act; to repeal all laws and parts of laws in conflict herewith; providing for and declaring an emergency, and providing time for the act to take effect."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

## HOUSE BILL NO. 605 ON THIRD READING.

Mr. Brown moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 605 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99.

Mr. Speaker.	Daniel.
Alexander.	Davis.
Avis.	DeBerry.
Barnett.	Duvall.
Barron.	Enderby.
Bass.	Farrar.
Bateman.	Finlay.
Beck.	Fly.
Bird.	Forbes.
Black.	Gates.
Boggs.	Gibson.
Bonham.	Gilbert.
Boon.	Graves.
Brown.	Gray.
Conway.	Hagaman.
Cox.	Hall.
Cummings.	Hefley.

High.	Runge.
Hornaday.	Sanders.
Jacks.	Shaver.
Johnson.	Shearer.
Kincaid.	Shirley.
King of	Simmons.
Throckmorton.	Sinks.
Kinnear.	Smith of Atascosa.
Kirby.	Smith of El Paso.
Kirkland.	Smith of Nueces.
Land.	Smith of Smith.
Loftin.	Snelgrove.
Long.	Stell.
Masterson.	Stout.
McCombs.	Taylor.
McGill.	Teer.
Merritt.	Tillotson.
Montgomery.	Turner.
Morse.	Van Zandt.
Moursund.	Veatch.
Murphy.	Waddell.
Nabors.	Walker.
Nicholson.	Wallace
Olsen.	of Freestone.
Parish of Runnels.	Wallace of Panola.
Pavlica.	Wassell.
Pearce.	Webb.
Poage.	Wells.
Pope.	Whitaker.
Porter.	Williams
Purl.	of Sabine.
Rawlins.	Williams
Renfro of Mills.	of Travis.
Rogers of Hays.	Woodall.
Rogers of Shelby.	Young.
Rowell.	

## Nays—1.

Kennedy.

## Absent.

Acker.	McKean.
Albritton.	Minor.
Branch.	Parrish of Travis.
Cornwell.	Petsch.
Denman.	Pool.
Dielmann.	Powell.
Dunlap.	Ramsey.
Eickenroht.	Renfro
Faulk.	of Angelina.
Fuchs.	Satterwhite.
Harding.	Sheats.
Harman.	Smyth.
Hogg.	Stevenson.
Holland.	Storey.
Jones.	Sutton.
Kayton.	Swain.
Kenyon.	Ware.
King of Hopkins.	Williamson.
Lipscomb.	Woodruff.
Loy.	

## Absent—Excused.

Anderson.	Kemble.
Foster.	Reagan.
Holder.	Wallace of Smith.
Justice.	

The Speaker then laid House bill No. 605 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Mr. Speaker.	Morse.
Alexander.	Moursund.
Barnett.	Nabors.
Barron.	Olsen.
Bass.	Parish of Runnels.
Bateman.	Parrish of Travis.
Beck.	Pavlica.
Bird.	Pearce.
Black.	Petsch.
Boggs.	Poage.
Bonham.	Pope.
Boon.	Porter.
Brown.	Purl.
Conway.	Rawlins.
Cornwell.	Renfro
Cox.	of Angelina.
Cummings.	Renfro of Mills.
Daniel.	Rogers of Hays.
DeBerry.	Rogers of Shelby.
Duvall.	Rowell.
Enderby.	Runge.
Farrar.	Sanders.
Finlay.	Satterwhite.
Fly.	Shaver.
Forbes.	Shearer.
Gates.	Shirley.
Gibson.	Simmons.
Gilbert.	Sinks.
Graves.	Smith of El Paso.
Gray.	Smith of Nueces.
Hagaman.	Smith of Smith.
Hall.	Snelgrove.
Harding.	Stout.
Harman.	Taylor.
Hefley.	Teer.
High.	Tillotson.
Hornaday.	Turner.
Jacks.	Van Zandt.
Jones.	Veatch.
Kennedy.	Waddell.
Kincaid.	Walker.
Kirby.	Wallace:
Kirkland.	of Freestone.
Land.	Wassell.
Lipscomb.	Webb.
Loftin.	Wells.
Long.	Whitaker.
Masterson.	Williams
McCombs.	of Travis.
McGill.	Williamson.
Merritt.	Woodall.
Minor.	Young.
Montgomery.	

Absent.

Acker.	Davis.
Albritton.	Denman.
Avis.	Dielmann.
Branch.	Dunlap.

Eickenroht.	Pool.
Faulk.	Powell.
Fuchs.	Ramsey.
Hogg.	Sheats.
Holland.	Smith of Atascosa.
Johnson.	Smyth.
Kayton.	Stell.
Kenyon.	Stevenson.
King of Hopkins.	Storey.
King of	Sutton.
Throckmorton.	Swain.
Kinnear.	Wallace of Panola.
Loy.	Ware.
McKean.	Williams
Murphy.	of Sabine.
Nicholson.	Woodruff.

Absent—Excused.

Anderson.	Kemble.
Foster.	Reagan.
Holder.	Wallace of Smith.
Justice.	

#### HOUSE BILL NO. 528 ON SECOND READING.

On motion of Mr. Kinnear, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 528, A bill to be entitled "An Act authorizing the commissioners court of Jefferson county, Texas, to purchase automobiles for the use of the commissioners when acting as road supervisors under appropriate regulations of said court, and providing for the reports thereon to the auditor and limiting the amount to be expended therefor, and providing for the marking of said cars and a penalty for failure to mark, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 528 ON THIRD READING.

Mr. Kinnear moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 528 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Black.
Alexander.	Boggs.
Avis.	Bonham.
Barnett.	Boon.
Barron.	Brown.
Bass.	Conway.
Bateman.	Cummings.
Beck.	Daniel.
Bird.	Davis.

DeBerry.	Rawlins.
Duvall.	Renfro
Enderby.	of Angelina.
Farrar.	Rogers of Hays.
Forbes.	Rogers of Shelby.
Gates.	Rowell.
Gibson.	Runge.
Gilbert.	Sanders.
Graves.	Satterwhite.
Hagaman.	Shaver.
Hall.	Shearer.
Hefley.	Shirley.
High.	Simmons.
Hornaday.	Sinks.
Jacks.	Smith of Atascosa.
Johnson.	Smith of El Paso.
Jones.	Smith of Nueces.
Kincaid.	Smith of Smith.
Kinnear.	Snelgrove.
King of	Stell.
Throckmorton.	Storey.
Kirby.	Swain.
Lipscomb.	Taylor.
Loftin.	Teer.
Long.	Tillotson.
Loy.	Turner.
Masterson.	Van Zandt.
McCombs.	Veatch.
McGill.	Waddell.
Minor.	Walker.
Montgomery.	Wallace
Morse.	of Freestone.
Moursund.	Wallace of Panola.
Murphy.	Webb.
Nabors.	Wells.
Olsen.	Whitaker.
Parish of Runnels.	Williams
Pearce.	of Sabine.
Petsch.	Williams
Poage.	of Travis.
Pool.	Williamson.
Pope.	Woodall.
Porter.	Woodruff.
Purl.	Young.

## Absent.

Acker.	Kenyon.
Albritton.	King of Hopkins.
Branch.	Kirkland.
Cornwell.	Land.
Cox.	McKean.
Denman.	Merritt.
Dielmann.	Nicholson.
Dunlap.	Parrish of Travis.
Eickenroht.	Pavlica.
Faulk.	Powell.
Finlay.	Ramsey.
Fly.	Renfro of Mills.
Fuchs.	Sheats.
Gray.	Smyth.
Harding.	Stevenson.
Harman.	Stout.
Hogg.	Sutton.
Holland.	Ware.
Kayton.	Wassell.
Kennedy.	

## Absent—Excused.

Anderson.	Kemble.
Foster.	Reagan.
Holder.	Wallace of Smith.
Justice.	

The Speaker then laid House bill No. 528 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—101.

Mr. Speaker.	Murphy.
Alexander.	Nabors.
Avis.	Parish of Runnels.
Barnett.	Pearce.
Barron.	Poage.
Bass.	Porter.
Bateman.	Purl.
Beck.	Rawlins.
Bird.	Renfro
Black.	of Angelina.
Boggs.	Rogers of Hays.
Bonham.	Rogers of Shelby.
Brown.	Rowell.
Conway.	Runge.
Cummings.	Sanders.
Daniel.	Satterwhite.
Davis.	Shaver.
DeBerry.	Shearer.
Denman.	Shirley.
Duvall.	Simmons.
Enderby.	Sinks.
Farrar.	Smith of El Paso.
Faulk.	Smith of Nueces.
Fly.	Smith of Smith.
Forbes.	Stell.
Gates.	Storey.
Gibson.	Stout.
Gilbert.	Swain.
Hefley.	Taylor.
High.	Teer.
Holland.	Tillotson.
Hornaday.	Turner.
Johnson.	Van Zandt.
Jones.	Veatch.
Kayton.	Waddell.
Kenyon.	Walker.
Kincaid.	Wallace
King of Hopkins.	of Freestone.
King of	Wallace of Panola.
Throckmorton.	Ware.
Kinnear.	Wassell.
Kirby.	Webb.
Kirkland.	Wells.
Loftin.	Whitaker.
Long.	Williams
Masterson.	of Sabine.
McCombs.	Williams
McGill.	of Travis.
Minor.	Williamson.
Montgomery.	Woodall.
Morse.	Woodruff.
Moursund.	Young.



## Nays—2.

Kennedy.	Olsen.
	Absent.
Acker.	Land.
Albritton.	Lipscomb.
Boon.	Loy.
Branch.	McKean.
Cornwell.	Merritt.
Cox.	Nicholson.
Dielmann.	Parrish of Travis.
Dunlap.	Pavlica.
Eickenroht.	Petsch.
Finlay.	Pool.
Foster.	Pope.
Fuchs.	Powell.
Graves.	Ramsey.
Gray.	Renfro of Mills.
Hagaman.	Sheats.
Hall.	Smith of Atascosa.
Harding.	Smyth.
Harman.	Snelgrove.
Hogg.	Stevenson.
Jacks.	Sutton.
	Absent—Excused.
Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

SENATE BILL NO. 394 ON SECOND  
READING.

On motion of Mr. McCombs, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 394, Relating to salary of Superintendent of Public Instruction.

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 394 ON THIRD  
READING.

Mr. McCombs moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 394 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—91.

Mr. Speaker.	Finlay.
Alexander.	Fly.
Barnett.	Forbes.
Barron.	Gates.
Bateman.	Gibson.
Bird.	Gilbert.
Boggs.	Graves.
Bonham.	Hagaman.
Conway.	Hall.
Cummings.	Hefley.
Daniel.	High.
DeBerry.	Hornaday.
Duvall.	Jacks.

Johnson.	Shearer.
Jones.	Shirley.
Kincaid.	Simmons.
Kinnear.	Sinks.
Kirkland.	Smith of El Paso.
Loftin.	Smith of Nueces.
Long.	Smith of Smith.
Masterson.	Snelgrove.
McCombs.	Stell.
McGill.	Storey.
Minor.	Taylor.
Montgomery.	Teer.
Morse.	Tillotson.
Nabors.	Turner.
Parish of Runnels.	Van Zandt.
Pavlica.	Veatch.
Pearce.	Waddell.
Petsch.	Walker.
Poage.	Wallace
Pope.	of Freestone.
Porter.	Wassell.
Purl.	Webb.
Rawlins.	Wells.
Rogers of Hays.	Whitaker.
Rogers of Shelby.	Williams
Rowell.	of Sabine.
Runge.	Williams
Sanders.	of Travis.
Satterwhite.	Woodall.
Shaver.	Young.

## Nays—9.

Avis.	Kirby.
Black.	Olsen.
Boon.	Renfro
Kennedy.	of Angelina.
King of	Stout.
Throckmorton.	

## Present—Not Voting.

Farrar.

## Absent.

Acker.	Kenyon.
Albritton.	King of Hopkins.
Bass.	Land.
Beck.	Lipscomb.
Branch.	Loy.
Brown.	McKean.
Cornwell.	Merritt.
Cox.	Moursund.
Davis.	Murphy.
Denman.	Nicholson.
Dielmann.	Parrish of Travis.
Dunlap.	Pool.
Enderby.	Powell.
Eickenroht.	Ramsey.
Faulk.	Renfro of Mills.
Foster.	Sheats.
Fuchs.	Smith of Atascosa.
Gray.	Smyth.
Harding.	Stevenson.
Harman.	Sutton.
Hogg.	Swain.
Holland.	Wallace of Panola.
Kayton.	Ware.

Williamson.	Woodruff.
Absent—Excused.	
Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

The Speaker then laid Senate bill No. 394 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—93.

Mr. Speaker.	Murphy.
Albritton.	Nabors.
Alexander.	Parish of Runnels.
Barnett.	Parrish of Travis.
Barron.	Pavlica.
Beck.	Pearce.
Bird.	Petsch.
Black.	Poage.
Boggs.	Pool.
Bonham.	Pope.
Brown.	Porter.
Conway.	Powell.
Cornwell.	Purl.
Cox.	Ramsey.
Cummings.	Rawlins.
Daniel.	Renfro of Mills.
Davis.	Rogers of Hays.
DeBerry.	Rogers of Shelby.
Denman.	Rowell.
Dielmann.	Runge.
Duvall.	Sanders.
Enderby.	Satterwhite.
Finlay.	Shaver.
Fly.	Shearer.
Forbes.	Sheats.
Gates.	Shirley.
Gibson.	Simmons.
Gilbert.	Sinks.
Graves.	Smith of El Paso.
Hagaman.	Smith of Smith.
Hall.	Stell.
Hefley.	Storey.
High.	Swain.
Hornaday.	Taylor.
Jacks.	Turner.
Johnson.	Van Zandt.
Jones.	Veatch.
Kayton.	Waddell.
Kennedy.	Wallace
Kenyon.	of Freestone.
Kincaid.	Wallace of Panola.
Kinnear.	Wassell.
Kirkland.	Webb.
Lipscomb.	Wells.
Loftin.	Whitaker.
Long.	Williams
Masterson.	of Sabine.
McCombs.	Williams
McGill.	of Travis.
Minor.	Woodall.
Montgomery.	Woodruff.
Morse.	Young.

Nays—8.

Avis.	Renfro
Boon.	of Angelina.
King of	Smith of Atascosa.
Throckmorton.	Stout.
Olsen.	Walker.

Present—Not Voting.

Farrar.	Tillotson.
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Absent.

Acker.	Kirby.
Bass.	Land.
Bateman.	Loy.
Branch.	McKean.
Dunlap.	Merritt.
Eickenroht.	Moursund.
Faulk.	Nicholson.
Foster.	Smith of Nueces.
Fuchs.	Smyth.
Gray.	Snelgrove.
Harding.	Stevenson.
Harman.	Sutton.
Hogg.	Teer.
Holland.	Ware.
King of Hopkins.	Williamson.

Absent—Excused.

Anderson.	Kemble.
Holder.	Reagan.
Justice.	Wallace of Smith.

#### HOUSE BILL NO. 16 ON FINAL PASSAGE.

Mr. Nabors moved to reconsider the vote by which House bill No. 16 was finally passed.

The motion to reconsider prevailed.

Mr. Nabors offered the following amendment to the bill:

Amend House bill No. 16 by striking out the word "five" in line 4 in original bill and insert in lieu thereof the word "four."

The amendment was adopted.

House bill No. 16 was then finally passed by the following vote:

Yeas—100.

Mr. Speaker.	Cox.
Avis.	Cummings.
Barron.	Daniel.
Bateman.	Davis.
Beck.	DeBerry.
Bird.	Duvall.
Black.	Enderby.
Boggs.	Farrar.
Bonham.	Finlay.
Boon.	Fly.
Branch.	Forbes.
Brown.	Gates.
Conway.	Gibson.
Cornwell.	Gilbert.

Graves.	Rowell.
Hagaman.	Runge.
Hall.	Sanders.
Hefley.	Satterwhite.
High.	Shaver.
Hornaday.	Shearer.
Jacks.	Shirley.
Johnson.	Simmons.
Jones.	Sinks.
Kennedy.	Smith of El Paso.
Kincaid.	Smith of Smith.
King of	Smyth.
Throckmorton.	Snelgrove.
Kinnear.	Stell.
Kirby.	Storey.
Kirkland.	Stout.
Loftin.	Sutton.
Long.	Swain.
Masterson.	Taylor.
McCombs.	Teer.
McGill.	Turner.
Minor.	Van Zandt.
Morse.	Veatch.
Moursund.	Waddell.
Murphy.	Walker.
Nabors.	Wallace
Olsen.	of Freestone.
Parish of Runnels.	Ware.
Pavlica.	Wassell.
Pearce.	Webb.
Petsch.	Wells.
Poage.	Whitaker.
Pope.	Williams
Porter.	of Sabine.
Purl.	Williams
Rawlins.	of Travis.
Renfro	Woodall.
of Angelina.	Woodruff.
Rogers of Hays.	Young.
Rogers of Shelby.	

Present—Not Voting.

Tillotson.

Absent.

Acker.	King of Hopkins.
Albritton.	Land.
Alexander.	Lipscomb.
Barnett.	Loy.
Bass.	McKean.
Denman.	Merritt.
Dielmann.	Montgomery.
Dunlap.	Nicholson.
Eickenroht.	Parrish of Travis.
Faulk.	Pool.
Foster.	Powell.
Fuchs.	Ramsey.
Gray.	Renfro of Mills.
Harding.	Sheats.
Harman.	Smith of Atascosa.
Hogg.	Smith of Nueces.
Holland.	Stevenson.
Kayton.	Wallace of Panola.
Kenyon.	Williamson.

Absent—Excused.

Anderson.

Holder.

Justice.  
Kemble.

Reagan.  
Wallace of Smith.

#### RELATING TO CONSIDERATION OF LOCAL BILLS.

On motion of Mr. Satterwhite, by unanimous consent, the first hour of meeting on next Monday was set aside for the consideration of local bills.

#### RECESS.

On motion of Mr. Satterwhite, the House, at 6:45 o'clock p. m., took recess to 9:30 o'clock a. m. next Monday.

#### APPENDIX.

#### STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

State Affairs: Senate bills Nos. 368, 402, 336, 298, 271.

Public Health: Senate bills Nos. 350, 464.

Judiciary: House bill No. 605; Senate bills Nos. 265, 254.

Conservation and Reclamation: Senate bill No. 338.

Judicial Districts: Senate bill No. 423.

Education: Senate bills Nos. 211, 375, 394.

Criminal Jurisprudence: House bills Nos. 520, 628.

The following standing committees have today filed adverse reports on bills as follows:

Agriculture: House bill No. 637.

Judiciary: Senate bills Nos. 190, 378.

#### REPORTS OF COMMITTEE ON EN- GROSSED BILLS.

Committee Room,  
Austin, Texas, March 4, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 586, A bill to be entitled "An Act providing for the withholding from allotment to the public free school fund and sale of such land as may be gained or added to the State of Texas north of the South Fork of Red River as a result of the final determination of the suit of the State of Oklahoma, complainant, against the State of Texas, de-

fendant; the United States of America, intervener, now pending in the Supreme Court of the United States, in which a decree was entered January 3, 1927, ordering the establishment of the one hundredth meridian until such time after the entry of the final boundary decree as the Legislature may consider and provide for final disposition of such additional land as may be decreed to be within the State of Texas, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,  
Austin, Texas, March 4, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 430, A bill to be entitled "An Act amending Article 6676 of the Revised Statutes of 1925, declaring motor vehicles belonging to municipal corporations not subject to the license taxes provided for in Chapter 1, of Title 116, of said Revised Statutes, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,  
Austin, Texas, March 3, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 35, "An Act to amend Article 2494, of Title 46, of the Revised Civil Statutes of 1925, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,  
Austin, Texas, March 4, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 359, "An Act repealing Article 7067 of the Revised Civil Statutes of Texas, 1925, imposing an occupation

tax on any individual, company, corporation or association owning, operating or controlling any interurban, trolley, traction or electric street railway in this State and charging for transportation on said railway, and providing for the payment of a franchise tax by such individual, company, corporation or association, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,  
Austin, Texas, March 4, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 291, "An Act amending Articles 3334 and 3336 of the Revised Civil Statutes of 1925, relating to the manner of service of citation on application for the probate of wills, and inserting Article 3334a, validating the service of citation and the probating of wills, in so far as notice is concerned, where citation has been made by publication, as provided for by Article 28 without posting notices, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,  
Austin, Texas, March 3, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 203, "An Act to amend Article 6214, Title 109, Revised Civil Statutes, 1925, so as to provide that Confederate veterans receiving pensions from the United States Government on account of services rendered subsequent to the Civil War, shall not be deprived of pensions under the general laws of this State, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,  
Austin, Texas, March 4, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 264, "An Act to authorize the Commissioner of the General Land Office to revalue, reclassify and give new notice on all scrap school surveys, which were valued and classified on March 26, 1926, and to allow all applicants sixty days after such reclassification and re-

valuation in which to file applications to purchase said land, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.



In Memory  
of  
Hon. A. J. Durham

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Mr. Fly offered the following resolution:

Whereas, The Hon. A. J. Durham, member of the House of Representatives of the Fortieth Legislature, answered the last and supreme summons at an unknown hour on this morning, and his body now lies icy in death; and

Whereas, The Hon. A. J. Durham was one of our most beloved and esteemed members and recognized as one of the most useful and valuable among us by virtue of his innate and acquired qualities of mind and heart; therefore, be it

Resolved by the House, That a page be set aside in the Journal of the House to his memory; that we give expression of our heartfelt sympathy to the family in their gloom, and that when the House adjourns today it be out of respect to him and his memory; and

Resolved further, That the Speaker appoint a committee of nine to make all necessary arrangements, looking to the carrying out of the wishes of his bereaved family and to attend his obsequies as representatives of this House;

Resolved, When the House adjourns on this day, it shall be in honor of our honored and respected dead.

Signed—Tillotson, Foster, Pavlica, Avis, Forbes, Kennedy, Enderby, Pearce, Merritt, Stevenson, Shirley, Renfro of Mills, Renfro of Angelina, Morse, Fly, Veatch, Satterwhite, Farrar, Albritton, Kayton, Dielmann, Wallace of Freestone, Wallace of Panola, Lipscomb, Black, Smyth, Stell, Waddell, Smith of Nueces.

The resolution was read second time.

On motion of Mr. Fly the resolution was adopted by a rising vote.

In accordance with the above action, the Speaker announced the appointment of the following committee:

Messrs. Fly, Satterwhite, Albritton, Webb, Dielmann, Snelgrove, Merritt, Avis, Kayton and Veatch.